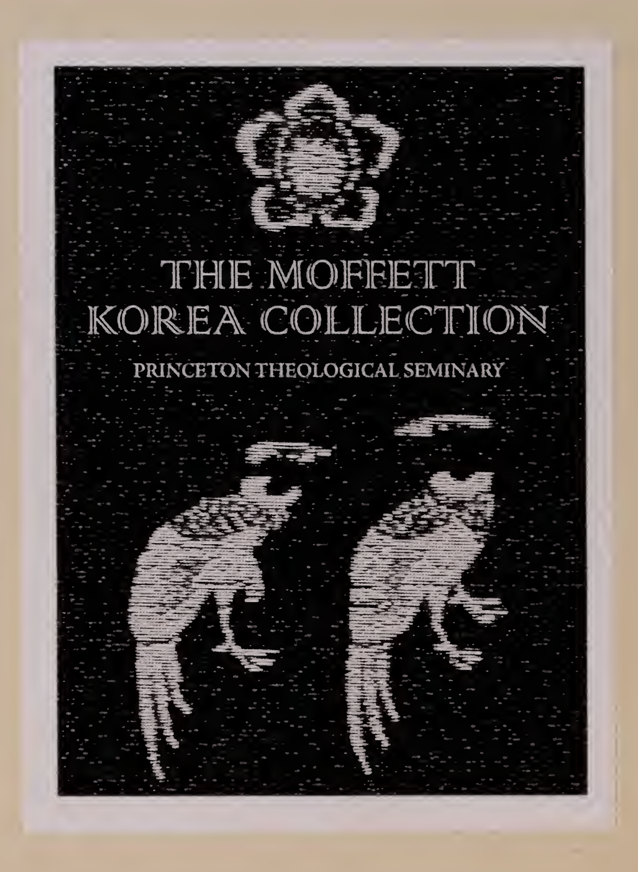
AMERICAN DIPLOMACY IN THE ORIENT

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BY

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PREFACE

ALTHOUGH there is a vast amount of literature on Asiatic subjects, there exists a recognized need of a work covering the topics embraced in the present volume. The great development of the industrial resources of the country, the necessity of larger markets in Asia, and the recently acquired territorial possessions in the Pacific Ocean, have given new interest and importance to the international relations of the United States with the Far East. Under these conditions, it seemed desirable to have in consecutive order a brief history of the diplomatic intercourse of this government with the Orient, in order to form a correct estimate of the policy which has controlled the American people in their contact with the countries in that quarter of the globe.

The author has the more cheerfully undertaken the task from a conviction that a narrative of that intercourse would reflect great credit upon his country, and in the hope that it might stimulate the patriotism of its citizens, and lead them to a more ready support of their government in the discharge of its difficult and enlarged responsibilities.

The treatment in a single volume of a subject, em-

bracing several countries and covering more than a century, has required brevity in statement and the omission of many interesting facts. The author has sought partially to remedy these defects by a liberal citation of authorities, which will enable the reader readily to continue his investigation.

The Turkish Empire has not been included in the narrative, for the reason that its capital is situated in Europe, and its relations are controlled in great measure by the European concert of powers. Persia has likewise been omitted for the latter reason, and because of the slight diplomatic and commercial intercourse of the United States with that country.

WASHINGTON, January, 1903.

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AMERICAN DIPLOMACY IN THE ORIENT



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I

EARLY EUROPEAN RELATIONS

THE people of the United States of America, as soon as they had achieved their independence in 1783, manifested a notable spirit of commercial and maritime adventure. Within two years after peace was secured the flag of the new nation had been carried by American ships into all the waters of the globe. When they reached the Pacific Ocean in quest of avenues of trade, they found almost all the ports of the countries of Asia closed against them. Within the brief lifetime of this young nation a great transformation has been wrought in that region of the globe, which is vitally affecting the political and commercial relations of many nations. In this transformation the United States has borne a conspicuous and an honorable part. A narrative of its participation in the events which have brought about this change in the affairs of the world will be the subject of this volume.

For two hundred years before the beginning of the nineteenth century and for a considerable time after

that date, the free access of foreigners to most of the countries of Asia was prohibited, and commerce was carried on under very burdensome and restricted conditions. This state of affairs may be attributed mainly to two causes: first, the gross ignorance of those countries respecting the rest of the world; and, second, the violent and aggressive conduct of the Europeans who visited them soon after the maritime discoveries of the fifteenth century. A review of these conditions will enable us the better to understand the difficulties encountered by the Americans in their early relations with the countries of the Orient, and the important part taken by the government of the United States in bringing them out of their seclusion and opening them up to commercial and political intercourse with the outside world.

An examination of the history of the Asiatic nations shows that the restrictive policy was of comparatively modern origin. The earliest records of Japan give accounts of embassies and intercourse with Korea and China dating from two thousand years ago to recent times. Japanese mariners had sailed their ships to all the regions of Asia, and from the time the first Europeans came into the Pacific, throughout the sixteenth and seventeenth centuries, Japanese vessels carried on commerce with India, Siam, Malacca, the Philippines, China, and Korea, and had even reached the coast of America.

Chinese records contain reference to intercourse with the people of the West as early as the Greek invasion of Asia under Alexander; and the classic writings, both

Chinese and Latin, show that there were some trade relations with Rome in the time of the early emperors. During the period of the Byzantine empire quite an overland traffic was maintained, and we find accounts of frequent embassies to and from Arabia and India from the beginning of the Christian era onward through the mediæval period. But the most authentic and detailed narratives are those of Arab travelers and merchants in and after the ninth century, showing an extensive trade by sea from the ports of Arabia and the Persian Gulf; and even at that date Chinese junks were making voyages to India, Ceylon, and still farther west. As indicating the state of intercourse during the Mohammedan ascendancy, it may be noted that in 1420 a Chinese embassy was commissioned to go to all the nations of the Western Ocean extending as far as Arabia Felix, and the record is that it was well received by them.[1]

When European vessels began to visit China foreign

[1] 1 Cathay and the Way Thither, translated by Colonel Yule, London, printed for the Hakluyt Society, 1866, preliminary essay, sections i.–v.; 1 The Chinese, by Sir John F. Davis, New York, 1837, chap. i.; 2 History of China, by Charles Gutzlaff, New York, 1834, chap. xx.; Arabs and Chinese, by Dr. E. Bretschneider, London, 1871; Ancient Account of India and China, by two Mohammedan travelers, by E. Renaudot (translation), London, 1733. See review of same in 1 Chinese Repository, Canton, 1833, p. 6.

The Chinese Repository, one of the most valuable publications extant concerning Chinese matters, was founded in 1832 by Rev. E. C. Bridgman, the first American missionary sent to China, — a gentleman of decided literary merit, who was enabled to render useful diplomatic service to his own country and devoted his life to the elevation of the Chinese. With him was associated in the publication of the Repository Dr. S. Wells Williams, to whom frequent reference will be made in this volume. The publication continued through twenty years.

trade was carried on from ports of the various provinces south of the Yang-tse-Kiang. The first European vessel reached Canton in 1516, and was of Portuguese nationality. It was received in a friendly spirit, and created a favorable impression on the authorities. It was followed the next year by an armed fleet of eight vessels, seeking trade and bearing an envoy to the emperor of China. Delay and disappointment were experienced by the envoy, and the presence of such a fleet soon created suspicion, which was followed by a collision with the Chinese navy. Other vessels followed the visit of the fleet, and Portugal, then at the height of its power, pushed its commerce with China along up the coast, establishing entrepôts at Amoy and Ningpo. By their violent conduct they brought upon themselves within a few years the hostility of the natives. At Ningpo, in one assault alone, eight hundred Portuguese were slaughtered and thirty-five ships burned. One of the charges of lawlessness which brought about this act of vengeance was that the Portuguese were accustomed to send armed parties into the neighboring villages and bring in the women who fell into their hands.[1]

Holland early became a formidable power in the East. In 1622 a Dutch squadron of seventeen vessels appeared off the coast of China, and after being repulsed at Macao by the Portuguese, with whom they were at war, they seized the Pescadores Islands, lying between the mainland and Formosa, established themselves there, and

[1] 2 History of China, Gutzlaff, p. 126; View of China, R. Morrison, 1817; 1 The Chinese, Davis, 28; 1 Chinese Repository, 398, 425; Historical Sketch of Portuguese Settlements in China, Boston, 1836.

began to erect fortifications. This led to hostilities with the Chinese, and they finally withdrew to Formosa, of which they took possession, with the design of making it a permanent Dutch colony; but after a constant warfare of twenty-eight years with the Chinese and the natives, they were finally expelled.[1]

The British made their first visit to Canton in 1635. Four vessels fitted out by the East India Company, commanded by Captain Weddel, entered the river, and were halted at the Bogue forts. A parley ensued, in which they insisted on proceeding up to Canton, but were asked to await the consent of the authorities. Disregarding the port regulations and the warning cannon shot of the Chinese, the whole British fleet, quoting the narrative of the voyage, "did on a sudden display their bloody ensigns, and . . . each ship began to play furiously upon the forts with their broadsides." Within two or three hours the forts were silenced, a force of men landed, occupied and destroyed the forts, "put on board all their ordnance, fired the council house, and demolished what they could." The fleet then moved up to Canton, and demanded the privilege to trade, the vessels being filled with merchandise. The authorities still hesitating, the fleet again began hostilities, "pillaged and burnt many vessels and villages, . . . spreading destruction with fire and sword." An agreement was finally reached whereby the British were allowed to land and trade. Sir George Staunton, secretary of the first British embassy to China, in recording this event says: "The unfortunate circumstances under which the

[1] 1 The Chinese, Davis, 42; 2 History of China, Gutzlaff, chap. xxii.

English first got footing in China must have operated to their disadvantage, and rendered their situation for some time peculiarly unpleasant."[1] It was thirty years thereafter before another British vessel visited Chinese waters for purposes of trade.

The Spaniards occupied the Philippines in 1543, and their cruel treatment of the Chinese who were established there operated to the great prejudice of the former at Canton and other ports, and their trade with the country never was of any considerable value. The French, in the early European intercourse with the East, never sought to establish trade with China; but the French missionaries entered the country more than two centuries before the European vessels reached it. They were not only successful in their missions, but had attained much influence with the authorities of the empire.[2]

In the sixteenth century the Chinese empire and its dependencies extended from Korea to India. Its rulers did not fail to note the aggressive spirit of the Portuguese, Dutch, and Spaniards, who had taken possession by force of the Philippines, Java, and other islands, and had acquired a foothold in India and the Malay Peninsula. The early intercourse in its own ports with these nationalities and the English, so marked by violence and bloodshed, led the Chinese authorities to stringent

[1] Embassy to the Emperor of China, by Sir George Staunton, London, 1797, p. 8; 2 Hist. China, Gutzlaff, chap. xxiii.; 1 The Chinese, Davis, chaps. ii. and iii.

[2] For early Nestorian missions, see 1 Cathay, by Colonel Yule, preliminary essay, sec. vi.; for Roman Catholic missions, 2 Cathay, Yule, 529; 2 Hist. China, Gutzlaff, 43.

measures in the seventeenth century, which resulted in the closing of all ports except that of Canton, and even at that port foreign intercourse was conducted under very onerous conditions.[1]

From the beginning European commerce encountered two serious obstructions. The emperor and the ruling classes recognized no equality in other nations, and all who held intercourse with them were regarded as subjects of vassal nations, and their envoys as tribute-bearers. This led to very humiliating demands upon foreigners, and in part explains the early conflicts. The Europeans, also, in their contact with the Chinese officials, found in existence a system of bribery and corruption which constituted a heavy tax upon trade, and was the cause of much dissatisfaction.

The experience of the Japanese with the early European voyagers and merchants was somewhat different from that of the Chinese, but it ended even more disastrously to the newly established relations. The Island Empire was discovered by the Portuguese navigator Pinto in 1542, and he was soon followed by merchant vessels, which met with a welcome from the native princes, and within a few years a profitable trade was maintained. The Portuguese were followed by the Spaniards, who were likewise freely admitted. The first Dutch vessels came in 1600, reaching Japan in distress. The captain returned to Holland to report on the new found land of trade, but the pilot Adams, who was an

[1] 1 The Chinese, Davis, 28, 32; Narrative of Voyages, by A. Delano, Boston, 1817, p. 531; China and the Chinese, by Rev. J. L. N. Nevius, New York, 1869, p. 299; A History of China, by S. Wells Williams, edited by F. W. Williams, New York, 1897, p. 55.

Englishman, remained in the country, teaching the natives the European art of shipbuilding and becoming a great favorite at court. Other vessels arrived in 1609, and from that date they began to divide the trade with the Portuguese, who had heretofore enjoyed almost a monopoly of it. The English established themselves in 1613, and within a few years had factories at Hirado, Nagasaki, Osaka, Yedo, and various other ports.[1]

While in China there was a constant drain of silver from Europe to maintain the balance of trade, in Japan gold and silver were plentiful, as also copper, which was then a scarce metal in Europe. During the seventeenth century the Dutch exported from Japan 43,482,250 pounds sterling in gold and silver, principally gold, and in that and the next century 206,253 tons of copper. For nearly one hundred years Europeans enjoyed a free and lucrative trade with the empire, but an influence was at work in the country which was destined to create an effectual barrier to trade and intercourse.

[1] One of the most frequently cited works on the early intercourse of Europeans with Japan is Dr. E. Kaempfer's History of Japan. He was attached to the Dutch factory at Deshima. The following are accessible translations and abstracts: History of Japan, by E. Kaempfer, translated by J. J. Scheuchzer, London, 1727, 2 vols.; abridged edition, London, 1853; J. A. Pinkerton's edition, London, 1811; abstract by R. G. Watson, Transactions of Asiatic Society, Japan, vol. ii., Yokohama, 1874. As to Kaempfer, Things Japanese, by Professor Chamberlain, London, 1891, p. 242. Histoire du Japon, par le P. Fr. de Charlevoix, Paris, 1754, 6 vols. Memorials of the Empire of Japon, by T. Rundall, London, Hakluyt Society, 1850. 6 Chinese Repository, pp. 460, 553; 7 ib. p. 217. Diary of Richard Cock, 1615–1622, by E. M. Thompson, London, 1883. Letters of William Adams, 1611–1617, reprinted from Hakluyt Society, Yokohama, 1878. Extracts from Cock and Adams will be found in Rundall's Memorials above cited. As to Adams, Chamberlain's Things Japanese, 13.

With one of the earliest Portuguese ships came the great missionary apostle of the Jesuits, Francis Xavier, who landed at Kagoshima in 1549. He was kindly received, and during his short sojourn his labors were attended with wonderful success. Other laborers followed, and the toleration was so complete that in a few years the Christians numbered hundreds of thousands, and within fifty years it was estimated that they had increased to nearly two million adherents.[1] Among them were found princes, generals, and the flower of the nobility. Both in regard to religion and commerce it may be said that the government of Japan at that period exhibited more liberality to the nations of Europe than the latter exhibited to each other. Velasco, the governor-general of the Philippines, in an account of a visit which he made to the country in 1608, relates an anecdote of the Shogun, who was urged by the Buddhist priests to suppress the Christians. "How many sects may there be in Japan?" he asked. "Thirty-five," was the reply, referring to the many Buddhist sects. "Well," he said, "we can easily bear with thirty-six."[2]

In 1582 three of the nobility, representing as many of the Christian princes, attended by a suite befitting their station, made a visit to Rome to pay their respects to the head of the Catholic Church. They were received with distinguished attention by the crowned heads and people in their journey through Portugal, Spain, and

[1] Memorials of Japon, Hakluyt Society, preface, v.; The United States and Japan, by I. Nittobe, Baltimore, 1891, p. 10.

[2] Memorials of Japon, 184.

the various states of Italy. They were welcomed with all possible pomp and ceremony by the aged Pope, who at the close of the audience pronounced the words of Simeon: *Nunc dimittis*. Throughout Catholic Europe their visit was accepted as the assurance that Japan was soon to become a Christian nation. They reached Nagasaki in 1590, after an absence of eight years. They were received in audience by the Shogun and told their marvelous story. It was anticipated that it would have a favorable effect on the government, but events were taking place which were to bring about other results.[1]

For forty years the Catholic missionaries were freely permitted to carry on their propaganda, and the native Christians enjoyed the same treatment by the authorities as the Buddhists. In 1587 the first indication of trouble with the government arose, when the Shogun dispatched commissioners to make investigations of charges brought against the Christians. These commissioners reported that they were overzealous in pressing their faith on the people, that they had destroyed national temples, insulted and ridiculed the Buddhist priests and assaulted their monasteries, and that Christian traders were carrying away the natives into slavery. Based upon this report, the Shogun issued an edict expelling the priests, but exempting the traders so long as they observed the laws of the empire. But the order was not generally put into force, and the missionaries were able to evade it.

[1] Histoire du Japon, Charlevoix. An account of the embassy based upon Charlevoix will be found in 8 Chinese Repository, 273.

The country was filled with friars of various orders; their conduct and habits were not always exemplary, and they were not politic in making prominent their devotion to the Pope. Their claim of a superior obedience to a foreign potentate and the visit of the Japanese embassy to Rome alarmed the imperial authorities, and orders were issued for a strict enforcement of the edict. This caused a rebellion of the native Christians, which was with great difficulty suppressed. Incensed at these events, the Shogun issued a second edict in 1637, expelling, not only the missionaries, but all foreigners, prohibiting their entrance into the country, and forbidding the Japanese to go abroad. In the language of the Dutch historian of the period, "Japan was shut up." By 1639 not a single Portuguese or Spaniard — merchant or missionary — remained in the country, and it was supposed that every native Christian had recanted or been slaughtered. Only the Dutch, not of the "evil sect," were permitted to remain, and they were confined to the little island of Deshima in the harbor of Nagasaki. Thenceforward for more than two centuries the liberal policy of foreign intercourse was reversed, and only through this small Dutch factory did the Japanese government and people communicate with the outside world.[1]

Merchants of all nationalities for a century had found

[1] 1 History of Japan, Kaempfer, passim; 3 Histoire du Japon, Charlevoix; Letters of William Adams. A full discussion of the accounts of the persecution, by Kaempfer (Protestant) and Charlevoix (Catholic), will be found in the preface to Memorials of Japan, already cited. The Mikado's Empire, by W. E. Griffis, New York, 1876, pp. 248–259.

a free and open market, and the ports of Japan had furnished a friendly harbor for all vessels. The market had been not only free but very remunerative, as one hundred per cent. profit was not an unusual return.[1] The testimony of all writers of the period is that the Japanese in their intercourse with foreigners were distinguished for high-bred courtesy, combined with refined liberality and generous hospitality. On the other hand, the merchants and mariners with whom they came in contact were usually of bad manners and morals, overreaching, avaricious, and cruel; the missionaries were often arrogant, ambitious, and without proper respect for native customs; and the naval and other officials of foreign governments were haughty, actuated by a spirit of aggression, and unmindful of the comity of nations. The history of the time shows that the policy of exclusion adopted by Japan in the seventeenth century was not inherent in the constitution of the state or the character of the people, but that it was adopted in consequence of the unfavorable character of the relations with Europeans.

It will be of interest to note the conditions under which the limited intercourse with the Dutch factory was carried on. The island of Deshima, artificially built in the harbor of Nagasaki, six hundred feet long and two hundred and forty feet wide, was surrounded by a high stone wall, which permitted only a distant view to its inmates. It was connected with the mainland by a stone bridge guarded by Japanese police and had only one other outlet, the sea gate. Both of these gates were

[1] Memorials of Japon, p. iv.; Chamberlain's Things Japanese, 296.

closed and guarded by night. In this veritable prison eleven Dutchmen were permitted to reside. They were occasionally allowed to pass beyond its walls for exercise, but only on written application to the governor of the province twenty-four hours in advance, and then always accompanied by a numerous police retinue. Owing to the bitter hostility of the Dutch to the Catholic missionaries and merchants, the Japanese supposed that the Christians worshiped two Christs, and when it was found that both sects acknowledged the same God, the Dutch at Deshima were prohibited from observing the Sabbath and were carefully to abstain from any manifestation of their faith. The Japanese assistants and servants employed by them were not permitted to remain on the island overnight; and before entering on their duties they were obliged to sign, with their blood, an oath to contract no friendship with the Dutch, to afford them no information, and have no communication with them except in their recognized functions. No persons except these employees and government officials were ever admitted to the island.[1]

Two Dutch vessels annually were permitted to come to the factory, but under the strictest surveillance. The cargoes when landed were delivered to Japanese authorities, who sold the imported merchandise, fixed the price on the goods to be exported, and gave in their unchecked accounts to the Dutch president of the factory. The trade thus carried on was comparatively

[1] A similar establishment was allowed certain Chinese merchants in another quarter of the harbor of Nagasaki. For account of Chinese trade, 9 Chinese Repository, 378.

insignificant. The total value of the two cargoes was estimated not to exceed £70,000, and the profits must have been small after the presents, tribute and fees were deducted. When the ships were ready to sail on their return voyage the president had to wait upon the governor of the province in formal audience to obtain permission, at which time he was required to sign a document that they would neither bring in nor hold any intercourse with the Portuguese and would advise the authorities of any hostile designs against Japan which came to their knowledge.

No direct intercourse was held with the government of the Netherlands, except through the Dutch East India Company at Batavia. On the arrival of each ship presents had to be given to the governor of the province; and a visit and tribute paid to the Shogun at his capital, Yedo, at first every year, but during the last century the visit was made once in four years, though the tribute continued to be sent annually. The Japanese nobility and higher authorities affected a great contempt for trade, and it was their practice to hold no direct intercourse with the Dutch officials. Though many of the factory presidents familiarized themselves with the language, they never could address the higher authorities directly. In his intercourse with the president the governor spoke to his secretary, the secretary repeated his words to the interpreter (a Japanese), and the latter translated it to the president; and the president's answer came back through the same current of communication.

The visit of ceremony of the president of the factory

to the Shogun was made in great state. Two other Dutchmen and a number of Japanese officials accompanied him, and the entire retinue consisted of about two hundred persons. They visited on their journey the local princes, with whom they exchanged presents. On the arrival of the embassy at Yedo they were kept in strict confinement, and permitted to go out only on visits of ceremony. The audience of the Shogun was in the following form. When the president entered the hall of audience, they cried out "*Holanda Capitan*," which was the signal for him to draw near and make his obeisance. Accordingly, he crawled on his hands and knees to a place indicated, between the presents he had brought ranged on one side and the place where the Shogun sat on the other; and then, kneeling, he bowed his forehead quite down to the ground, and so crawled backwards like a crab, without uttering a single word. The stillness of death prevailed during the audience, which lasted scarcely sixty seconds. The Dutch chronicler's comment is: "So mean and short a thing is the audience we have of this mighty monarch." [1] Although cut off from the outside world, Japanese commerce did not languish. Kaempfer, writing in 1692, says that confined within the limits of their empire the people enjoyed the blessings of peace and contentment, and did not care for any commerce or communication with foreign parts, because such was the state of their country they could subsist without it.

[1] 1 History of Japan, Kaempfer. An account of the Dutch factory at Deshima, taken from Kaempfer and other Dutch and German authorities, will be found in 9 Chinese Repository, 291.

"How much," he remarks, "is carried on between the several provinces and parts of the empire! how busy and industrious the merchants are everywhere; how full their ports of ships; how many rich and mercantile towns up and down the country! There are such multitudes of people along the coasts, and near the seaports, such a noise of oars and sails, and numbers of ships and boats!" One of the presidents of the Dutch factory, in giving an account of his visit to the Shogun, states that there were as many as a thousand vessels in the bay of Yedo.

The measures of exclusion adopted had the effect to deter the European nations from further attempts at intercourse, either commercial or political, with Japan, but not so as to China. The trade of that vast empire was greatly coveted, and the profits which were derived from the limited commerce through Canton, even with its burdensome conditions, only whetted the appetite of the avaricious merchants for greater facilities. During the seventeenth and eighteenth centuries repeated attempts were made by the governments of Portugal, Holland, Great Britain, and Russia, by imposing embassies sent to Peking, to secure greater trade privileges. The embassies of the first three governments were invariably attended with failure.[1] Russia, however, occupied a different relation. She was not seeking for maritime intercourse. Her vessels of war did not come into Chinese waters to awaken alarm and commit out-

[1] As to Portuguese embassies, 2 Hist. China, Gutzlaff, 129, 137, 139; as to Dutch embassies, 2 Hist. China, Gutzlaff, 152, 159; as to early European embassies, China, by R. Montgomery Martin, London, 1847, p. 257.

rages. Her commerce had to be established over a long land route. Besides, Russia had become a coterminous neighbor of China, and it was necessary to establish some kind of political relations. By 1637 the Cossacks had advanced across Siberia and stood on the shores of the Pacific at the Sea of Okhotsk. The Amur River had become a part of the boundary, and Mongolia and Manchuria touched the Russian frontier. The aggressive spirit of the Czar's representatives soon brought them into conflict with the Chinese, resulting in a state of war, in which the Russians were worsted and sought for a peaceful adjustment. This brought about the treaty of Nipchu or Neverchinsk, signed in 1689; and as it was the first treaty negotiated by the emperor of China upon terms of equality with a European power, it calls for more than a passing notice.

The negotiations took place on the frontier, and in the presence of the armies of both contestants. The Chinese plenipotentiaries were accompanied by two Catholic missionaries, who acted both as advisers and interpreters, and exercised an important influence on the result. The negotiations were quite prolonged, each party indulging in very wordy discussions. The final scene of the signature of the treaty was enacted in a tent erected for the ceremony, midway between the two armies. The treaty was read aloud, and each party signed and sealed the two copies that were to be delivered to the other, viz., by the Chinese, one in their own language, and a second in Latin; by the Russians, one in their language, and a second in Latin; but the Latin copies only were sealed with the seals of both

nations. The contracting parties, as described by the priest Gerbillon, then "rising altogether and holding each the copies of the treaty of peace, swore in the name of their masters to observe them faithfully, taking Almighty God, the sovereign Lord of all things, to witness the sincerity of their intentions." The exchange of copies of the treaty followed, and the parties embraced each other, trumpets, drums, fifes, and hautboys sounding all the while. On the next day presents were exchanged and the plenipotentiaries separated, bearing their respective copies of the treaties to their sovereigns.

The treaty fixed the boundaries of the two countries, Russia agreed to withdraw from the Chinese territory which it had occupied for some years, free trade across the frontier was stipulated, and provision was made for the extradition of criminals and fugitives. The Chinese emperor then reigning was Kang-he, one of the most celebrated of the Manchu dynasty. He took great credit to himself for the treaty, saying of his reign, "Since I ascended the throne I have directed military operations to a great extent. I have crushed rebels, I have taken possession of Formosa, I have humbled the Russians."[1]

The exchange of ratifications of this treaty did not take place till four years after its signature, when Peter the Great sent an envoy to Peking attended by a large

[1] Déscription de l'Empire de la Chine, etc., par J. B. du Haldè, 1735. For text of treaty, Treaties, Conventions, etc., between China and Foreign Courts, prepared by Inspector-General of Customs, Shanghai, 1887, p. 3; also Archives Diplomatiques, Paris, t. i. p. 270; 2 Hist. China, Gutzlaff, 247; 8 Chinese Repository, 417.

retinue, and a year and a half were required for the journey.[1] The treaty of 1689 did not secure satisfactory results, and in 1719 another ambassador, Ismailoff, was sent to Peking to secure by treaty better trade facilities. When his train reached the frontier a curious incident occurred illustrative of an oriental peculiarity. Some of the Russians had brought their wives with them. "We have women enough at Peking," the Chinese official said. Appeal was made to the emperor, many weeks were lost, and at the end the women had to be sent back. The same exclusion was observed at Canton, where no European women were admitted even to the foreign factories until just previous to the British war of 1840. A similar rule was enforced by the Japanese at the Dutch factory at Deshima. It is recorded that in the year 1817 a new president of the factory arrived, bringing with him his young wife and their new-born babe; and that it threw the whole town of Nagasaki — population, government, and all — into consternation. It was made the subject of a court council at Yedo, and the young wife was forced to return to Holland.[2]

On his arrival at Peking, Ismailoff was notified that he could transact no business until after his audience

[1] From Moscow Overland to China, by E. Y. Ides, Ambassador from the Czar of Muscovy, translated into English, London, 1706; Journal of Russian Embassy Overland to Peking, by Adam Brand, Secretary of the Embassy, 1698; 2 Hist. China, Gutzlaff, 248; 8 Chinese Repository, 520.

[2] 2 Hist. China, Gutzlaff, 251; 9 Chinese Repository, 297; Narrative of Voyages, A. Delano, Boston, 1817, p. 540; A Cycle of Cathay, by W. A. P. Martin, New York, 1896, p. 20.

of the emperor, at which he must perform the obeisance known as the *kotou* or *kowtow*. To this he strongly objected, as derogatory of the dignity of his sovereign, and protracted discussions followed, but in the end he was forced to yield. A detailed account of his reception is given by Father Ripa, a Catholic missionary, who acted as interpreter. After describing the emperor and the gorgeous display with which he was surrounded, he says Count Ismailoff on entering the hall immediately prostrated himself before the emperor, holding up the Czar's letter with both hands. His majesty "now thought proper to mortify him by making him remain some time in this particular posture. The proud Russian was indignant at this treatment, and gave unequivocal signs of resentment by certain motions of his mouth and by turning his head aside, which, under the circumstances, was very unseemly." The emperor, however, soon relieved him from his embarrassment, received the letter from him on his knees, and held some conversation with him. The narrative states that "after the presentation of the letter the ambassador, attended by the master of ceremonies, returned to his former place in the open vestibule; and behind him stood his principal attendants. When all were marshaled, at particular signals given by the master of ceremonies, they all went down on their knees, and, after the lapse of a few minutes, bent their heads thrice to the ground. After this all arose upon their feet, then again kneeled down and prostrated themselves three times. In this manner they kneeled thrice, and performed nine prostrations."

After all this abasement the ambassador was refused his treaty, but assurances were given that the caravan trade should be allowed, and that his secretary might remain at Peking as a permanent chargé. But obstacles continued to be thrown in the way of trade by the Chinese authorities, and another embassy had soon to be sent to Peking.[1]

In 1727 a new treaty was made between the two empires, which reëstablished the boundaries, fixed more accurately the trade relations, and provided for a permanent ecclesiastical mission. Caravans were to be dispatched every three years, and six priests and four lay members were permitted to remain at Peking to learn the language, thus furnishing interpreters and secretaries for the Russian government. This treaty continued in force for more than a century, and was only displaced by the treaty of 1858. Under it a limited trade was maintained, the traffic being mainly the exchange of furs for tea. But that was of an unsatisfactory character, being subject to frequent impediments on the part of the Chinese government. The acquisitive spirit of Russia also caused trouble on the border, and the Czar dispatched successive envoys to Peking to negotiate in respect to these matters, but they were either turned back at the frontier for refusal to make the prostrations, or failed to effect anything at the capital. An attempt was made in 1806 to open a trade at Canton by Captain Krusenstern of the

[1] Travels of John Bell of Antermony, 1763; Father Ripa's Residence at the Court of Peking (Extract in U. S. Foreign Relations, 1873, p. 163); 2 Hist. China, Gutzlaff, 250.

Russian navy, but he was refused, the edict being that the trade of that nation should be confined to the overland traffic.[1]

The commercial supremacy of Great Britain was becoming more pronounced throughout the world during the eighteenth century, and English merchants under the East India Company were enjoying the greater share of the Chinese trade allowed through Canton, but it was conducted under the most embarrassing conditions. For this reason it was resolved that a special effort should be made at Peking to secure for British commerce freer facilities in the empire. Lord Macartney, governor-general of India, a nobleman of considerable diplomatic experience, was chosen as the head of an embassy, which was notable for its personnel and the display with which it was sought to impress the Chinese government and people. It was dispatched in a man-of-war, accompanied by two ships laden with merchandise for barter. The embassy disembarked at Tientsin, and ascended the Peiho in boats, from which the Chinese displayed flags bearing the words, "Ambassador bearing tribute from the country of England."[2] As it passed overland from Tung-chau to Peking it presented a most striking appearance. The ambassador, his secretary, and other officers of his suite were carried in palanquins, they were followed by sixty carts conveying the escort of British soldiers and servants, with a much larger train for the private baggage,

[1] For text of treaty of 1727, Treaties, Conventions, etc., of China, Shanghai, 1887, p. 8; 2 Hist. China, Gutzlaff, 257–264.

[2] 2 Hist. China, Gutzlaff, 195; Staunton's Embassy, 306.

and four hundred coolies, employed to transport the effects of the embassy and the presents to the emperor and high officials.[1]

It was received with the highest marks of distinction by the Chinese authorities; but when Lord Macartney met the emperor's representatives to ask for an audience, he was told that he would be required to make the prostrations observed at all ceremonies attending the audience of tribute-bearers. Much time was taken up in the discussions on this point, but finally it was agreed that the ambassador should be received by the emperor kneeling only as he delivered the king's letter. The emperor was at Jehol, an imperial hunting lodge some distance north of the Great Wall, and thither the embassy had to wend its way. When the audience was over, Lord Macartney was told that the business of his mission would be discussed with the emperor's ministers on his return to Peking. But he had scarcely arrived at the capital when he was ordered to depart and quit the country. No opportunity was afforded him to dispatch or even to discuss the business which had brought him on this long and expensive journey, and the entire embassy had been kept constantly under close surveillance during its stay. The departure was effected almost with precipitation. The author of one of the narratives of the embassy writes: "We entered Peking like paupers; we remained in it like prisoners; and we quitted it like vagrants."[2] The return journey was made overland to Canton, attended by high mandarins and a display of

[1] Narrative of British Embassy, Anderson, Philadelphia, 1795, p. 128.
[2] Ib. 237.

Chinese etiquette all along the route. It is said that the expenditures of the imperial government alone for the entertainment of the embassy amounted to $850,000.[1]

One of the principal objects of the mission was to obtain the privilege to trade at Ningpo, Chusan, Tientsin, and other ports besides Canton. So far from granting this permission, no conference respecting it was held; but the emperor, in his letter of reply to the one from the king of England handed him by Lord Macartney, stated that the trade must be confined to the port of Canton. He adds: "You will not be able to complain that I had not clearly forewarned you. Let us therefore live in peace and friendship, and do not make light of my words." Notwithstanding this rebuff, the king of England sent return presents to the emperor in 1795, which were received at Canton and transferred overland to Peking, and it was recorded that tribute had been sent by the king of England to the "Son of Heaven." It is said that the English were henceforth registered among the nations who had sent tribute-bearers, and that the embassy was regarded by the Chinese as one of the most splendid testimonials of respect that a tributary nation had ever paid their court.[2]

The embarrassments to British trade at Canton did not cease; and the English government, not discouraged by the ill success of its last embassy, resolved to dispatch a second one, in the hope of securing the establishment of a permanent mission at Peking and the

[1] Travels in China, by John Barrow, London, 1804.

[2] 2 Hist. China, Gutzlaff, 194; 1 The Chinese, Davis, pp. 75–79; History of China, Williams, 102; Letter from the Emperor of China to King George III., Nineteenth Century, July, 1896, p. 45.

opening of other ports to trade. In 1815 a British man-of-war with two consorts arrived off Tientsin, having on board Lord Amherst, governor-general of India, an able corps of assistants, and a numerous suite. They were received in great state en route, and escorted to Peking. On his arrival there Lord Amherst was informed that he must perform the kotou. This he refused to do, pleading the precedent of Lord Macartney's visit, but to no purpose. The Chinese were obdurate, and he returned to his man-of-war, and sailed away without seeing the emperor or discussing his business with the imperial ministers.[1]

This ended the efforts of Great Britain to establish diplomatic relations with China until an accumulation of causes brought the two nations into armed conflict, and marked the first step in the forcible opening of the great empire to intercourse with the outside world. It was the aggressive spirit and the violent conduct of the European nations which led the Chinese to close their ports against foreign commerce, and, after two centuries of seclusion, it was a like influence of aggression and violence on the part of the same nations which was destined to compel the Chinese to reverse their policy and again to open their ports to the world. The first act of the drama was played before the United States had an existence. It will be our task to study the part which the young republic has taken in the second act.

[1] Journal of Embassy to China, by Henry Ellis, London, 1817; 2 Hist. China, Gutzlaff, 207; 1 The Chinese, Davis, 95.

II

AMERICA'S FIRST INTERCOURSE

THE two most important factors in bringing the United States into contact with the countries of the Orient have been commerce and Christian missions. The influence of the latter will receive attention in a subsequent chapter. The extension of American commerce into the Pacific Ocean was obstructed by the policy of exclusion which had been in operation for two centuries, and in the few ports where foreign intercourse was tolerated it was conducted under very adverse conditions. The cause of this state of affairs has been indicated in the preceding chapter, so far as China and Japan were concerned. Much the same conditions existed in the other countries, brought about by similar causes.

Several of the European nations had taken possession by force of various islands in that ocean, occupied by many millions of people, and had effected permanent lodgment on the continent in India and the Malay Peninsula. From these places it was possible to establish a large trade with the enormous population of Asia; but at the date of the independence of the United States and for many years thereafter the European governments sought to reserve the trade of their colonies and dependencies to themselves. Hence it was a serious undertaking for a new nation, with a novel form of

government and undeveloped resources, to enter into competition for its share of the commerce of the islands in and the countries bordering on the great ocean. But the hardy American mariners, who had been trained in the fisheries and the colonial trade, and had had their courage tested in the Revolutionary War by a contest with the greatest maritime power of the world, entered upon this competition with a spirit of enterprise rarely equaled.

In the first year after the treaty of peace and independence with Great Britain was signed, on the 30th of August, 1784, the American ship The Empress of China, of New York, commanded by Captain John Green, with Samuel Shaw as supercargo, bore the flag of the United States for the first time into the port of Canton, China. The record of the voyage and the reception of the vessel in China, as found in the published narrative and the report made to the government is full of interest. In a letter to the Secretary of State, transmitted to the Continental Congress, the supercargo communicates, "for the information of the fathers of the country," an account of "the respect with which their flag has been treated in that distant region, . . . and the attention of the Chinese attracted toward a people of whom they have hitherto had but very confused ideas; and which seemed to place the Americans in a more conspicuous point of view than has commonly attended the introduction of other nations into that ancient and extensive empire."[1]

[1] Samuel Shaw's Journal, with Memoir by Josiah Quincy, 1847; Report to Secretary Jay, 3 Diplomatic Correspondence of the U. S. 1783–1789, p. 761.

Nothing eventful occurred on the outward voyage till they met, in the Straits of Sunda, two French men-of-war, also bound for Canton, whose commander greeted them in the most affectionate manner, and under the convoy of "our good allies" the vessel safely traversed the unknown Chinese seas.[1] On its arrival at Macao and Canton the vessel was welcomed by salutes from the ships of all nations in those ports and by visits from the officers and the chiefs of all the European establishments, and "treated by them in all respects as a free and independent nation." The letter says: "The Chinese were very indulgent toward us, though our being the first American ship that had ever visited China, it was some time before they could fully comprehend the distinction between Englishmen and us. They styled us the *new people;* and when by the map we conveyed to them an idea of the extent of our country, with its present and increasing population, they were highly pleased at the prospect of so considerable a market for the productions of theirs." It concludes: "To every lover of his country, as well as to those more immediately concerned in commerce, it must be a pleasing reflection that a communication is thus happily opened between us and the eastern extreme of the globe."

Other vessels followed this venture into Chinese waters, and within a few years they were successfully sharing

[1] The attentions of the French commodore were brought to the notice of the Continental Congress by Secretary Jay, and Mr. Jefferson, the minister in Paris, was instructed to convey the thanks of Congress to the French government for the valuable services of its navy. 3 Diplomatic Correspondence, 1783–1789, p. 767.

in the traffic. Gutzlaff, the German historian, writing of this period, says, "the Americans ploughed the wide ocean in every direction. The high principles they cherish, the excellent constitution under which they live, the industrious spirit which pervades the whole nation, imparted vigor and perseverance to the American merchant."[1] As evidence of their daring, he cites the ship Alliance which sailed from Philadelphia in 1788. She was not furnished with any charts on board, but made her voyage to China solely with the assistance of a general map of the world, and never let go an anchor from the time she left Philadelphia till she reached Canton. Captain Krusenstern, of the Russian navy, who, under orders of Alexander I., made a voyage around the world in 1803 and spent much time in the North Pacific, speaks in high praise of the early American mariners and merchants. "The spirit of commerce," he says, "is perhaps nowhere greater than in America. Being skillful seamen, they man their ships with a smaller crew, in which respect it appears almost impossible to excel them. Their vessels are, besides, so admirably constructed that they sail better than many ships of war. . . . The Americans avail themselves quickly of every advantage that is offered them in trade."[2] As indicating the state of intercommunication before the era of steam we note his statement of what was regarded as a remarkable evidence of speed and skill in navigation, that he met American captains in

[1] 2 Hist. China, Gutzlaff, 266.

[2] 2 Voyage Round the World, under Capt. A. J. von Krusenstern, translation, London, 1813, p. 332.

Canton who had made the voyage from thence to the United States and return in ten months.

At the time under consideration our vessels in the China trade did not always pursue a direct course between the home port and Canton. Not infrequently they took on cargo and cleared for the east coast of Africa, the Persian Gulf, the British or Portuguese stations in India, or the Dutch East Indies, where they bartered American goods for articles of those countries wanted in China, and reaching Canton, received in exchange teas, silks, and porcelains. In such voyages they were often exposed to danger from savage tribes or the pirates who infested the Pacific seas. The vessels engaged in this trade carried quite a formidable armament of cannon and small arms. Delano, who was one of the earliest voyagers to the Pacific, gives an account of the construction of a ship in Boston in 1789, the Massachusetts, "built expressly for the Canton trade." He says: "Our ship was pierced for thirty-six guns, but our armament was twenty six-pounders and musketry." He describes the outfitting of other vessels destined for Canton after a sealing voyage: "The Perseverance mounted twelve six-pound cannon, and the Pilgrim mounted six guns, from nine-pound carronades to four-pound fortified cannon, having all parts of their armament fitted in the best manner to correspond with their number of guns." [1]

An enterprise which largely interested the early Amer-

[1] 47 North American Review, 414; Shaw's Reports, 3 Dip. Cor. 774, 777, 778; A Narrative of Voyages, etc., by A. Delano, Boston, 1817, pp. 21, 25, 33, 420; Harper's Magazine, October, 1898, p. 739.

ican traders was the China fur trade. Before their advent into these waters, the Chinese supply of furs, which were greatly in demand in that country, came through Europe. The Americans later almost entirely monopolized the fur trade. Their practice was to clear for the South Seas, where at that period the fur seals greatly abounded, slaughter the animals, load their vessels with the skins, take them to Canton and exchange them for tea and other Chinese commodities, which were carried to the United States and Europe. The other source of supply of sealskins was in the North Pacific. The Russians had for many years a monopoly of that supply, but not being permitted to trade at Canton they were forced to carry the furs overland, via Siberia, to Kiakhta, and thence to Chinese markets. Within a few years after independence the American vessels were largely engaged in the traffic in seal and otter skins and other furs from the northwest coast of America to Canton, and it proved most profitable. The statistics of Canton show that in 1800 the American vessels engaged in the fur trade, in addition to large importations of otter and other furs, brought 325,000 sealskins; in 1801 the import of sealskins was 427,000; in 1802, 343,000; and it is stated that the tonnage employed in procuring skins for these periods was nearly one half of the whole tonnage in the China trade.[1]

On the return from Canton of the pioneer vessel, a report of her voyage was made to John Jay, then secre-

[1] A Statistical View, etc., of the United States, by Thomas Pitkin, New York, 1817, p. 249, and Appendix vii.; 3 Chinese Repository, 557; Delano's Voyages, 306.

tary for foreign affairs of the Continental Congress, by Major Samuel Shaw, supercargo of the Empress of China, as already stated. Secretary Jay transmitted this report to Congress, and on June 23, 1785, he informed Major Shaw "that Congress feel a peculiar satisfaction in the successful issue of this first effort of the citizens of America to establish a direct trade with China, which does so much to honor its undertakers and conductors." Under date of January 20, 1786, Secretary Jay called the attention of Congress to the fact that American merchants were beginning to turn to the China and India trade, and that in the course of that year several vessels would probably be engaged in it, and he submitted to the consideration of Congress the propriety of appointing a consul and vice consul general for Canton and other ports in Asia.

Prompt and favorable action on this recommendation was taken by Congress, in the election of Major Shaw as consul at Canton on January 27, and on the 30th of the same month Secretary Jay transmitted to him his commission. In his letter of transmittal he says, "Although neither salary nor perquisites are annexed to it, yet so distinguished a mark of the confidence and esteem of the United States will naturally give you a degree of weight and respectability which the highest personal merit cannot very soon obtain for a stranger in a foreign country." [1] The appointee was a man worthy of the honor. He had served with the rank of major of artillery on the staff of General Knox during the Revolutionary War, and was held in high esteem

3 Dip. Cor. 766, 769; 3 Secret Journals of Congress, 605.

by the general and his brother officers. After the war he visited India and China, and on his return from that voyage entered the War Department, under General Knox, as a clerk, and was holding that position when appointed consul at Canton. Captain Delano, who knew him well both at home and in China, writes: "He was a man of fine talents and considerable cultivation; he placed so high a value upon the sentiments of honor that some of his friends thought it was carried to excess. He was candid, just, and generous, faithful to his friendships, an agreeable companion, and manly in all his intercourse."[1]

Consul Shaw's first report, December 31, 1786, gives an account of the manner of conducting the trade at Canton. From it and from contemporaneous sources the following facts are obtained. Vessels arriving in Chinese waters to trade were required first to report at Macao, a Portuguese establishment, located on a peninsula near the mouth of the river on which Canton is situated. The Portuguese in the middle of the sixteenth century secured the privilege of occupying the point of land, and built up a considerable settlement there with the right to control their own local affairs, under the supervision of a resident Chinese official. They were, however, not permitted to exercise sovereignty over the territory, and were required to pay annually a ground-rent to the Chinese government. Foreign vessels, upon reporting to the native authorities at Macao, were granted permits to ascend the river to Whampoa, fourteen miles below Canton, where all of

[1] Delano's Voyages, 21.

them were moored. At this point the supercargoes made the necessary arrangements with the customs officials for disposing of their cargoes, the first step being to procure a *fiador*, a person to become surety for the payment of the government duties and fees. This person was a licensed Chinese merchant. It was also necessary to secure a *linguist*, a Chinese, who acted as ship's broker and interpreter in all transactions with the custom-house, which was in the city where no foreigners were admitted, and he attended to the discharge and transportation of the cargo to Canton.

The trade or bartering of the merchandise brought by the ships was conducted by the *co-hong*, which consisted of a body of from ten to thirteen Chinese, called the hong merchants. These men ranked among the most wealthy and respectable inhabitants of Canton; they paid largely for the privilege of entering the co-hong, and when admitted became permanent members of it; they had extensive establishments and numerous and convenient warehouses; and the co-hong was made the medium of all communication of the authorities of Canton and the imperial government with the foreign merchants and other foreigners. The cargoes were unloaded at Whampoa into Chinese boats and taken to the landing outside the walls of Canton. Here the merchandise was transferred to the hong merchants, who agreed on the prices at which they would purchase, and fixed those of their own goods in return.

Notwithstanding the great power and advantage conferred upon the co-hong by this system, Consul Shaw reports to the Secretary of State that they "are a set

of as respectable men as are commonly found in other ports of the world. They are intelligent, exact accountants, punctual to their engagements, and, though not worse for being well looked after, value themselves much upon maintaining a fair character. The concurrent testimony of all the Europeans justifies this remark." Forty years later a well-known citizen of the United States, a junior partner in an American house at Canton in 1834, John M. Forbes, of Boston, spoke in the highest terms of the strict honor of the Chinese merchants, and said, "I never saw in any country such a high average of fair dealing as there."

Among other requirements of the trade was the employment by every ship of a *comprador*, a person who furnished the provisions, supplies, and other necessities, which must all come through him, and at prices fixed by him, which was a source of much imposition. While the hong merchants maintained a high reputation, the small dealers were reported to be crafty and dishonest, and the trade was greatly embarrassed by the prevailing bribery and smuggling. The regular salary of the *hoppo*, or collector of customs, was about $4000 per annum, though his income was reported to be not less than $100,000.

In the time of Consul Shaw and for many years thereafter no foreigner was allowed to remain on Chinese territory at or in the vicinity of Canton, but as soon as the exchange of commodities was over and the vessels ready to sail on their return voyage, the foreign merchants, supercargoes, and agents had to go to Macao and remain there for the rest of the year or till another

vessel arrived. Consul Shaw says that "on the whole, the situation of the Europeans is not enviable, . . . and it must be allowed that they dearly earn their money."[1]

The American commerce with Canton, the only port in China with which any trade was permitted, soon assumed considerable proportions. The second year after the first vessel reached Canton, 1786, five American merchant ships arrived in port, and three years later, 1789, fifteen, which made the trade of the United States second only to that of Great Britain. In 1800 twenty-three American vessels visited Canton, and the value of their export cargoes was $2,500,000; and in 1801 thirty-four vessels with exports valued at $3,700,000. For the year 1805, the exports to the United States from Canton amounted to $5,300,000, and the imports to $5,100,000, and for the four years ending with 1807, the exports averaged annually $4,200,000, and the imports $4,100,000, and the average arrival of vessels was thirty-six.[2] The entire commerce of the United States at that period was comparatively small, and the trade with China constituted a very considerable part of it, and was relatively much greater then than at the present day; but the foregoing figures may give a somewhat exaggerated idea of the aggregate trade. No statistics are available in the Treasury Department

[1] 3 Dip. Cor. 781; 1 The Chinese, Davis, 34; 2 Chinese Repository, 301, 302; 1 Letters and Recollections of John M. Forbes, Boston, 1899, p. 86; 2 Remarks on China and the Chinese Trade, by R. B. Forbes, Boston, 1844. For account of Macao, An Historical Sketch of the Portuguese Settlements in China, by A. L. Jungstedt, Boston, 1836.

[2] Statistical View of U. S., Pitkin, 246; 2 Hist. China, Gutzlaff, 270, and tables of appendix; 2 Chinese Repository, 300.

of the commerce with China before 1821, and the foregoing figures are taken from the returns of the Canton custom-house. But we have seen that American vessels were at that early period engaged in an indirect trade, and in addition it is known that they were also carrying on a considerable traffic from Canton with Mexico, Peru, and Chili; but if the large amount of smuggled goods is estimated, which do not appear in the returns, the relative proportions will not be materially changed. One reason for the enterprise and success of the American trade in the East may be found in its entire freedom from governmental restraint, while that of the European countries was controlled by the monopolies of the various East India companies.

It is difficult to arrive at any accurate estimate of the profits of the Chinese trade, but a reading of the narratives of early voyages and of other contemporaneous accounts shows that it was usually large and that it was highly prized. Consul Shaw states that the privilege of private trade was allowed to English captains in the East India Company's service, and that in a vessel of eight hundred or one thousand tons this privilege was worth from $25,000 to $35,000 per voyage. Captain Krusenstern mentions in his voyages meeting in Canton an American vessel of less than one hundred tons which in a single voyage from the northwest coast of America, with a cargo of furs, realized $60,000 on an investment of $9000. Other voyages are given where a capital of $40,000 yielded a return of $150,000; and one of $50,000 gave a gross return of $284,000. The merchants of the New England ports in the early part of

the last century reaped a rich harvest from this traffic. In Boston alone the foundation of large fortunes was laid in the Canton trade. A list of the names of its merchants having houses in that place will indicate this, among whom are found the well-known names of Perkins, Cabot, Sturgis, Forbes, Russell, Cushing, and Coolidge.[1]

The attention of the first Congress of the United States assembled under the Constitution of 1787 was called to the importance of affording encouragement and protection to American commerce with China, and the second act passed by that body imposed a discriminating duty on tea and other goods imported in vessels other than those owned by American citizens. The interest of our merchants in that trade is also shown by petitions to Congress from New York, Philadelphia, and other cities, "praying the protection and encouragement of the general government, either by prohibiting foreigners from interfering in the trade, or making a greater distinction than now exists between the duties imposed upon goods imported immediately from Asia and those brought by the way of Europe."

Consul Shaw died in 1794, while en route to the United States on a visit, and was buried at sea off the Cape of Good Hope. He was succeeded by Samuel Snow. The business which seemed most to occupy the latter's attention, judging from the consular records in the Department of State, was obtaining the permission

[1] 3 Dip. Cor. 781; 25 N. A. Rev. 458, 464; Sturgis's Northwest Fur Trade, Hunt's Mag. xiv. 536, 537; Hist. Northwest Coast, Bancroft, 373, 376; 1 Forbes's Recollections, chaps. 3 and 4.

of the Portuguese government for him to reside at Macao. As stated, all foreigners were prohibited from remaining at Canton, none could reside at Macao without the express permission of the Portuguese government, and it was necessary that it should be secured for the consul upon the application of the Secretary of State. It does not appear that the permit was ever received, but he continued his residence on sufferance.[1]

Edward Carrington was consular agent in 1804, and for several years his chief occupation seems to have been to put forth ineffectual efforts to obtain the release of sailors taken from American ships in the ports of Macao and Canton by British warships and impressed into the naval service, a state of affairs, he remarks, "so humiliating to every friend of his country." It appears that the far-away waters of China were no more exempt than those of the Atlantic from the high-handed violence and disregard of maritime rights by Great Britain which brought on the war of 1812.[2] And the effects of this war were likewise felt on the coast of China. The American trade was nearly suspended, only an average of six vessels arriving annually during the war. The consul reports the exchange of prisoners in the port of Macao between an American "private armed vessel" and a British warship, and at another time of the release by the commander of the Doris, and the receipt given by the consul, of the

[1] 1 U. S. Statutes at Large, chap. 2, p. 25; Annals of Congress, 1791–3, pp. 427, 431; Consular Archives, Department of State, 1802–3.

[2] Consular Archives, 1804–6; H. Ex. Doc. 71, p. 4, 26th Cong. 2d Sess.; Delano's Voyages, 530.

passengers and crew of a Boston vessel, "altho," he writes the department, "I did not consider them prisoners of war, they having been taken under the Chinese flag and in neutral waters."

This action of the Doris, in cruising off the port of Canton and seizing American ships in Chinese waters, gave great offense to the local authorities, who ordered the man-of-war to leave, saying that if the English and Americans "had any petty squabbles," they must settle them between themselves and not bring them to China. Upon a refusal of the Doris to depart, all trade with the British merchants was temporarily suspended. The American consul not only complained of the bad conduct of the commander of the Doris, but he reports that it was "equaled by the pusillanimous conduct of the governor of Macao," who allowed that port to be made a base of operations for the British to prey upon American commerce.[1]

After the war was over the commerce soon revived, and nothing occurred to disturb it until the event in 1821 known as the "Terranova affair," which attracted general attention on the part of foreigners. An Italian sailor of the crew of an American vessel anchored in the river dropped or threw an earthen jar overboard, by which a Chinese woman in a boat was killed. It was contended that the deed was accidental. The authorities demanded his surrender for trial. The captain of the vessel stoutly refused to deliver him, but agreed to his trial by the authorities on the ship, in order to insure

[1] 1 The Chinese, Davis, 93; Williams's Hist. China, 105; Consular Archives, 1812–15.

a fair decision. The ship was invaded and surrounded by Chinese forces, and there was no alternative but his surrender. It was followed by the mockery of a trial, he was executed, and his body was returned to the ship. While the dispute was pending the American trade was suspended. After the execution, the viceroy of Canton issued an edict, saying that as the Americans had "behaved submissively, it is proper to open their trade in order to manifest our compassion. The Celestial Empire's kindness and favor to the weak is rich in an infinite degree; but the nation's dignity sternly commands respect, and cannot, because people are foreigners, extend clemency. . . . Now it is written in the law when persons outside the pale of Chinese civilization shall commit crimes they too shall be punished according to law. I, therefore, ordered them to take the said foreigner and, according to law, strangle him, to display luminously the laws of the Empire. In every similar case foreigners ought to give up murderers, and thus they will act becoming the tenderness and gracious kindness with which the Celestial Empire treats them." The government of the United States was severely criticised for taking no action in the matter.[1]

After this event American affairs at Canton passed on without occurrences of moment, the trade being maintained with satisfactory results. In the course of time the Chinese relaxed somewhat the strictness of the regulations. In the narratives between 1830 and 1840 we find that foreign merchants had been permitted to

[1] 1 The Chinese, Davis, 105; Williams's Hist. China, 108; 2 Hist. China, Gutzlaff, 267; H. Ex. Doc. 71, pp. 9–52, 26th Cong. 2d Sess.

establish themselves on the bank of the river just outside of the walls of Canton, and occupied substantial and commodious establishments of brick or granite, and the settlement was assuming a permanent foreign character, with churches, newspapers and other adjuncts. In 1832, when the port was visited by Mr. Roberts, the American envoy en route to negotiate treaties with Siam and Muscat, he reports, besides the East India Company's establishment, nine British mercantile houses, seven American, one French, and one Dutch; and one British and one American hotel. The style of living was quite luxurious, with an abundance of servants, but there was said to be lacking one essential element to make domestic enjoyment complete — the Chinese forbade the presence of foreign women. This prohibition, however, was removed soon after that date. The Chinese plenipotentiaries who negotiated the first treaty with Great Britain gave the emperor the following reason for this concession: "The barbarians are influenced by their women, and governed by natural affection. The presence of females at the ports would therefore soften their natures, and give us less anxiety as to outbreaks. If they are settled at our ports with all that is dear to them, and with storehouses full of goods, they will be in our power and prove more manageable."[1]

Notwithstanding the somewhat improved condition of the trade just indicated, the Americans, in common with all foreigners, labored under many embarrassments.

[1] Embassy to Eastern Courts, by Edmund Roberts, New York, 1837, p. 130; 5 Chinese Repository, 426; 1 China during the War, etc., by Sir John F. Davis, London, 1852, p. 300; Delano's Voyages, 540.

Bribery and smuggling were conducted with the connivance of the authorities. No direct means were afforded the foreigners to communicate directly with the local or imperial authorities for redress of their grievances, as all intercourse with them was conducted through the hong merchants. The consuls were not recognized in any way by the authorities, nor were they even allowed to communicate with them. They affected to despise trade as unworthy of their exalted station. The consuls were looked upon as the mere chiefs of the mercantile houses, and possessed no power or jurisdiction over their citizens or subjects frequenting the ports other than such as the latter chose to concede to them. As late as 1839 the consul at Canton, in writing to the Secretary of State, called attention to some humiliating demands of the authorities sought to be required of him in the form of his correspondence, and says: "These trifles seem to show their determination never to permit a foreign nation to presume on an equality with their own." The arbitrary course frequently taken by the authorities of Canton against foreign shipping and merchants is explained by the fundamental maxims of Chinese intercourse with foreigners, some of which are as follows: "The barbarians are like beasts, and not to be ruled on the same principles as natives. Were any one to attempt controlling them by the great maxims of reason, it would tend to nothing but confusion. The ancient kings well understood this, and accordingly ruled barbarians with misrule." The term "barbarian" was the usual epithet applied to all foreigners, much in the same

spirit in which the term was used by the ancient Greeks as including all who were outside of their civilization and culture. For instance, in an official report of a customs employee of Canton we find such expressions as the following: "The barbarian Marks, [a merchant] residing in the English devil factory; . . . the barbarian Just, residing in the French devil factory." Twenty years later Lord Elgin, backed by a British fleet and army, in a dispatch informing his government that he had made the Chinese retract the word "barbarian" in an imperial decree, candidly says: "I confess that I very much doubt whether they have any other term which conveys to the Chinese population the idea of a foreigner."[1]

We have seen that the British and other European governments had made vain efforts, by imposing embassies sent to Peking, to establish political intercourse and secure greater facilities for trade. The government of the United States occupied a more favorable position with the Chinese authorities than those of Europe because of the fact that its intercourse had been marked by no violence or offensive disregard of the imperial policy or regulations, and that it had manifested no disposition to despoil the nations of the Pacific of their territory. But the Chinese government had shown such a deep-rooted prejudice against foreigners and so determined a policy of exclusion that it seemed useless for the United States to attempt to open

[1] Consular Archives, 1839; 1 The Chinese, Davis, 68; N. A. Review, 1860, p. 163. As to American consuls and their status, 5 Chinese Repository, 219; 6 Ib. 103.

up political relations, notwithstanding the great necessity felt by American merchants for better protection and freer commerce. But the trade with the Pacific countries had become so important and profitable, and was in such an unprotected condition, that the government found itself impelled to the adoption of measures for the improvement of its commercial relations with these countries.

The exposed condition of this commerce attracted general attention because of the murder of the crew and the plundering of the ship Friendship, of Salem, Mass., in 1831, by the natives of Sumatra. The melancholy event was twice referred to by President Jackson in messages to Congress, and was the immediate cause of the dispatch of a special agent by the government, with two naval vessels, "for the purpose of examining, in the Indian Ocean, the means of extending the commerce of the United States by commercial arrangements with the Powers whose dominions border on these seas."[1] Edmund Roberts, of New Hampshire, a large ship-owner, who had spent much time abroad engaged in mercantile pursuits, and who had visited the Eastern countries and become acquainted with the condition of affairs in that distant region, had, through Senator Woodbury, of his State, previously urged upon the government the propriety and timeliness of measures for the enlargement and better protection of American commerce in the Pacific. The President was stirred to action by the unfortunate disaster to the

[1] 2 Messages and Papers of the Presidents, by J. D. Richardson, Washington, 1896, pp. 551, 596 ; Treaties of the U. S., 1887, p. 1380.

Friendship, and Mr. Roberts was selected and dispatched on his mission in the United States ship Peacock, accompanied by a naval schooner, in 1832. Trade had already been established with Siam and Muscat, but was conducted under embarrassing conditions. As early as the middle of the seventeenth century a liberal monarch of Siam had entered into relations with the English, Dutch, and French. Louis XIV. of France had sent imposing embassies to Siam and negotiated with the king treaties of amity and commerce;[1] and when the United States attained independence its adventurous seamen profited by this established commercial intercourse, but the trade was subject to pecuniary extortions and vexatious impositions. It was determined that the first efforts towards treaty negotiations should be with Muscat, Siam, and possibly Annam, leaving China and Japan to a later and more propitious time.

Clothed with full powers to negotiate treaties and bearing autograph letters from the President of the United States to the sovereigns of the countries named, Mr. Roberts passed the Cape of Good Hope and sailed first for Manila and Canton, and thence to the countries to which he was accredited. Upon his return to the United States he writes that the unprotected state of the trade from the Cape to the eastern coast of Japan was painfully impressed upon him. Not a single man-of-war was seen waving the national flag over its extensive commerce in that wide region; the merchantmen

[1] Relations de la France et du Royaume de Siam, Lanier, Versailles, 1883.

were totally unprotected. He cites the fact that in a single year one hundred and one American ships visited the ports of Java, and he looked hopefully forward to the time when the hardy sons of the ocean, while filling the coffers of their country, might enjoy the protection of their country's flag.

The treatment of the Peacock on the arrival of Mr. Roberts at Canton illustrates the spirit of the authorities at that single commercial port of China. As soon as the imperial commissioner was informed of her arrival off the port, he issued an edict, in which he stated that "having ascertained that the said cruiser is not a merchant-ship, nor a convoy, and that she has on board an unusual number of seamen, cannon, and weapons, she is not allowed, under any pretext, to anchor, and create disturbances. Wherefore, *Let her be driven away.* And let the hong merchants, on receiving this order, act in obedience thereto, and enjoin it upon the said nation's tae-pan [captain] that he order and compel the said ship to depart and return home. He is not allowed to frame excuses, linger about, and create disturbances, and so involve offenses, that would be examined into and punished. Let the day fixed for her departure be reported. *Haste! Haste!* A special order." Mr. Roberts states that no notice was taken of this edict, and the ship remained for six weeks after it was issued. The inefficiency of the Chinese navy at that time was such that, he says, the Peacock alone could have destroyed the whole "imperial fleet," and have passed up to Canton and back with a leading wind, without receiving any material injury from the

forts, as their guns were firmly imbedded in stone and mortar, and could only be fired in one direction.[1]

From Canton Mr. Roberts sailed to a port of Annam or Cochin-China, in order to communicate with the seat of government at Hue. He was met at the coast by officials of the government, and frequent parleys and correspondence ensued, which resulted in failure. Mr. Roberts records the spirit of these as follows: "The insulting formalities required as preliminaries to the treaty by the ministers from the capital of Cochin-China left me no alternative, save that of terminating a protracted correspondence, singularly marked from its commencement to its termination by duplicity and prevarication in the official servants of the emperor." The first obstacle encountered was in the effort to secure the transmission of a copy of President Jackson's letter to the emperor. The officials stated that "the President, being elected and promoted by the people, and not possessing the actual title of king, it behooved him to write in a manner properly decorous and respectful; on which account it was requisite for the translation to be examined in order to expunge improper words." They also insisted upon seeing the original letter, which was sealed. Mr. Roberts refused to comply with these demands, the negotiation was broken off, and he sailed away.

During the conferences the officials raised some question as to the right of Mr. Roberts to communicate with the minister of state, because of his lower rank. When they asked him what were his titles, he replied that there was no order of nobility in the United States.

[1] Roberts's Embassy, 431.

They insisted, however, that a person who held such an important position under his government as he must have titles, and they were desirous to know them in order to ascertain if they were equal in number to those of the minister of state. Mr. Roberts concluded to humor them. The principal deputy, having prepared his Chinese pencil and a half sheet of paper, sat down to write. Mr. Roberts remarked that it would require a whole sheet, which surprised them, as their minister's titles would not require a half sheet. He thus began: Edmund Roberts, a special envoy from the United States, and a citizen of Portsmouth, in the State of New Hampshire. He then proceeded to add to his titles the names of all the counties in the State. The scribe's paper was full, but it had taken much time owing to the difficulty of translating the names into Chinese, and many counties yet remained. It was his purpose, when the list of counties was exhausted, to proceed with the names of the towns, mountains, rivers, and lakes of New Hampshire. Fresh paper was obtained, but the official said that the list already exceeded the titles of the highest person in the empire. The scribe looked weary, and, as the ship was rolling, he complained of a headache. Further record of the titles was postponed till the next day, and no more objection was made on the score of the American envoy's rank.[1]

Mr. Roberts met with a more favorable reception in Siam, where a fair degree of liberality towards foreigners had prevailed for two centuries. Within twenty-two days all the formalities of reception, giving of

[1] Roberts's Embassy, chap. xiii.

presents, and exchange of visits required by the oriental customs had been complied with, and a treaty of amity and commerce signed. The treaty bears the date of March 20, 1833, and is the first diplomatic instrument ever executed by the United States with a ruling power of Asia. The preamble to the treaty states that "one original is written in Siamese, the other in English; but as the Siamese are ignorant of English and the Americans of Siamese, a Portuguese and a Chinese translation are annexed, to serve as a testimony to the contents of the treaty. It is signed on the one part with the name of the Chan Phaya-Phra-klang, and sealed with the seal of the lotus flower (of glass); on the other part it is signed with the name of Edmund Roberts, and sealed with a seal containing an eagle and stars."[1]

By the terms of the treaty the obstacles to trade and impositions upon it were in great measure removed, a barbarous penalty as to debts was abolished, fixed customs and port charges were agreed upon, and the general results of it were to place American commerce with the country upon a more friendly footing. The presents for the king on signing the treaty consisted of silks, elegant watches set in pearls, and silver filigree baskets with gold rims and enameled with birds and flowers, besides gifts to officials of the court. And before his departure Mr. Roberts was informed that upon the exchange of the ratifications of the treaty the king would expect the following additional presents: Five pairs of stone statues of men and women, some of natural and some of larger size, clothed in various costumes

[1] Treaties of United States, 992.

of the United States; ten pairs of vase lamps of the largest size, of plain glass; one pair of swords, with gold hilt and scabbards, — the latter of gold, not gilt, — shape of blade a little curved.[1]

On the way from Siam to Muscat, to whose sultan Mr. Roberts bore a letter from the President, the Peacock touched at one of the ports of the Malayan Peninsula. In exchange of civilities with the officials, the captain of the man-of-war made a present of some tobacco to one of the Mohammedan princes, who expressed his thanks in a letter, from which, as illustrative of the style of correspondence of the place and period, the following extract, in translation, is made: "By the mercy of God: This friendly epistle is the dictate of a heart very white, and a face very clean, written under a sense of the greatest respect and most exalted love, permanent and unchangeable as the courses of the sun and moon; that is from me — a gentleman — Tumbah Tuah of Bencoolen, Rajah, &c. Now may God the Holy and Almighty cause this to arrive before the face of his glorious excellency, Colonel Geisinger, the head man who commands in the American ship-of-war, which is now at anchor off Rat Island. Furthermore, after this, the object of this letter is to acknowledge the present of American tobacco sent to me. Wherefore I return praise to God and my expressions of gratitude — thus much!"[2]

The sultan of Muscat at that day ruled over a large extent of territory in the Indian Ocean, extending from

[1] Roberts's Embassy, 247, 314, 318.
[2] Ibid. 429.

the Persian Gulf in Arabia to and including Zanzibar in Africa, and his resources were more than adequate to the wants of his government. His subjects were very enterprising, and carried on a traffic in their own vessels to the southern extremity of Africa, to India, Ceylon, Java, and Manila. His navy was the most formidable of any of the sovereigns of Asia, consisting of about eighty vessels, carrying from four to seventy-four guns. With these thriving people the American mercantile marine carried on a considerable trade. During the eighteen months preceding Mr. Roberts's visit thirty-two vessels of the United States had visited its chief port, while the entire navigation of Europe was confined to nine vessels for the same period. In order to protect and develop this trade Mr. Roberts was instructed to effect a treaty of amity and commerce.

The sultan received the American envoy with every mark of consideration and friendship. Mr. Roberts observed a noted improvement in the court ceremonies over those of the countries farther to the east under Chinese influence. He says, "Here was to be seen no abasing, crawling, and crouching, and 'knocking head,' like a parcel of slaves; but all was manly, and every one stood on his feet." The sultan was a humane and just ruler, and entertained liberal views as to commerce. No obstacles were interposed to a treaty, which was speedily concluded, granting trade without any vexatious conditions under a tariff of five per cent., with no port charges of any kind. When the usual provision was submitted by the envoy providing for the care of shipwrecked American seamen at the expense of their own

government, the sultan insisted that this article should be amended so that he would protect, maintain, and return them at his own expense, as, he said, the stipulation was contrary to the usage of the Arabs and to the rights of hospitality. Though the sultan's kingdom has long since been broken up, the convention still appears in the compilation of treaties of the United States, and in its fifth article will be seen this insertion, "for the sultan can never receive any remuneration whatever for rendering succor to the distressed."[1]

To the letter of the President, the sultan replied in most expressive terms, the opening paragraph of which reads as follows: "In the name of God, amen. To the most high and mighty Andrew Jackson, President of the United States of America, whose name shines with so much splendor throughout the world. I pray most sincerely that on the receipt of this letter it may find his Highness, the President of the United States, in high health, and that his happiness may be constantly on the increase. On a most fortunate day and at a happy hour, I had the honor to receive your Highness's letter, every word of which is clear and distinct as the sun at noonday and every letter shone forth as brilliantly as the stars in the heavens: your Highness's letter was received from your faithful and highly honorable representative and ambassador, Edmund Roberts, who made me supremely happy in explaining the object of his mission, and I have complied in every respect with the wishes of your honorable ambassador, in concluding a treaty of friendship and commerce between our

[1] Treaties of the United States, 745.

respective countries, which shall be faithfully observed by myself and my successors, as long as the world endures."[1]

These treaties were submitted by the President to the Senate, and ratified by that body, and Mr. Roberts was sent out a second time in a man-of-war to exchange the ratifications. The ceremony attending the discharge of the duty in Siam was quite impressive. A procession was formed of the officers of the two naval vessels of the United States, which composed the expedition, headed by the envoy, and preceded by the ship's band, and in this pomp and display, the treaty was borne in a box by two officers to the bank of the river. An eye-witness of the ceremony continues the narrative: "Mr. Roberts took the treaty in his hand, and, after holding it up above his head in token of respect, delivered it to a Siamese officer. He also held it above his head, and then, shaded by a royal white silk umbrella borne by a slave, passed it into the boat, where it was received upon an ornamented stand, and, after covering it with a cone of gilt paper, it was placed beneath the canopy. At this moment our band ceased, and that of the Siamese began to play. The boat shoved off, and we turned our steps homeward to the merry tune of Yankee Doodle."[2]

From Siam the squadron went to Canton, where the vessels received a warning from the Chinese authorities,

[1] Roberts's Embassy, 360, 430.

[2] 3 Presidents' Messages, 53. A Voyage round the World, including an Embassy to Muscat and Siam, by Dr. Ruschenberger, Philadelphia, 1838, p. 319.

similar to the one on the former visit, and to which no attention was given. An oriental plague had broken out in the vessels, and Mr. Roberts was one of its victims, dying at Macao, June 12, 1836. He had acquitted himself with great credit on his delicate and difficult mission. He had at all times sustained the honor and dignity of the country in his intercourse with the governments of the East, which had been accustomed only to abasement and servility on the part of foreigners; but he also secured their good-will by a proper respect for established customs. He sacrificed his life for his country as truly as the soldier who dies upon the field of battle. His countrymen in recognition of his services have erected a monument over his grave at Macao, and a memorial window adorns St. John's Church, Portsmouth, N. H., the place of his birth. He has the honor of being the pioneer in the oriental diplomacy of the United States. His service was the opening chapter in the political intercourse of the nation with the peoples of Asia and the islands of the Pacific, which was destined to exercise a potent influence upon America and the world.

III

THE FIRST CHINESE TREATIES

It was not possible for the great empires of China and Japan to maintain permanently their policy of seclusion described in the preceding chapters. The maritime commerce of the world was rapidly increasing. The ships of Western nations were traversing all seas. The application of steam to navigation was beginning to bring the distant parts of the globe nearer together. It was contrary to the spirit of the age that a vessel in distress or requiring aid and supplies should be treated as an intruder in the ports of any people. The exchange of commodities was coming to be regarded as not only a legitimate transaction, but as one from which no nation had a right to exclude its inhabitants.

The efforts of China to resist the progress of the world in shipping and commerce were destined to an early and humiliating failure. The traffic carried on through Canton, notwithstanding its vexatious conditions, was increasing; and the Chinese people, realizing its advantages, were showing a marked interest in its growth. The unsatisfactory methods by which this trade was conducted could not fail, however, sooner or later, to bring about a conflict between the authorities and the foreign merchants or their governments; and it was plain that a radical change could be accomplished

only by force, as the Chinese authorities would not willingly make the necessary reforms. All the indications pointed to Great Britain as the power most likely to undertake this needed task. Her commerce was greater than that of any other, her growing possessions in India gave her increasing interest in the China trade, and her naval supremacy made her the natural champion of the world's commerce.

An event occurred at Canton in 1834 which pointed unmistakably to this result. The British East India Company, which had maintained a monopoly of the English trade with China up to that time, withdrew its agents from Canton on April 22 of that year, and ceased to exercise control. By virtue of an act of Parliament William IV. nominated a commission to regulate the trade "to and from the dominions of the emperor of China, and for the purpose of protecting and promoting such trade." The commission consisted of Lord Napier as chief superintendent, and two associates, together with a numerous corps of agents and clerks. They reached Macao June 15, and ten days afterwards they landed at Canton, without having made the usual application from Macao to the Chinese customs authorities for the privilege to come to Canton.

On June 25 a copy of the king's commission to Lord Napier and his associates was published in the Canton "Register," and on the same day Lord Napier addressed a communication in the form of a letter to the governor of the city, informing him of the arrival of the commission, empowered to protect and promote British trade, and that he was "invested with powers, political

and judicial," and he asked for a personal interview at which he would more fully explain the object and duties of the commission. While this communication was being translated, Lord Napier was called upon by two of the hong merchants, in execution of an instruction from the governor that they should inform him of the existing regulations as to intercourse, which must be carried on through the hong merchants. Lord Napier summarily dismissed them, with the statement that he "would communicate immediately with the viceroy in the manner befitting his Majesty's commission and the honor of the British nation."

After the hong merchants took their departure, Lord Napier's letter to the governor was sent to the city gate of Canton by one of his staff, accompanied by several British merchants. At the gate they encountered Chinese officers, to whom they tendered the letter for delivery to the governor, but all of them refused to receive it. A messenger was dispatched to the governor reporting the situation, and after several hours other officers appeared, but none of them would even touch the letter, and the British official was forced to return with it to Lord Napier.

The reason given for the refusal to receive the letter to the governor was that it did not have on the superscription the usual word employed in Chinese official correspondence, to wit, "pin" (petition), which Dr. Martin, a high authority in such matters, says is "a word which in Chinese expresses abject inferiority."[1] The governor, in reporting the event to the emperor,

[1] A Cycle of Cathay, W. A. P. Martin, New York, 1896, p. 21.

also calls attention to the fact that on the envelope "there was absurdly written the characters *Great English Nation*." In the communications of the governor to the hong merchants, the contents of which were to be made known to Lord Napier, attention was called to the fact that he had disregarded the rules of the trade in not applying from Macao for a permit to come to Canton; that only a *tae-pan* (supercargo or agent) had been allowed to represent the foreign merchants, and that an *eye* (superintendent), an official above the merchants in dignity, could not presume to exercise his functions without the consent of the imperial government, and for which a respectful *pin* must be sent. A recapitulation of the rules governing the visit and stay of foreigners was given, and the governor says: "To sum up the whole matter, the nation has its laws. Even England has its laws. How much more the Celestial Empire! How flaming bright are its great laws and ordinances. More terrible than the awful thunderbolts! Under this whole bright heaven, none dares to disobey them. Under its shelter are the four seas. Subject to its soothing care are ten thousand kingdoms. The said barbarian *eye* [Lord Napier], having come over a sea of several myriads of miles in extent to examine and have superintendence of affairs, must be a man thoroughly acquainted with the principles of high dignity."

On the day after the rejection of the letter the hong merchants called again on Lord Napier to induce him to change the address, but he refused to superscribe the word "petition." Other visits from them followed

on the next and subsequent days with edicts and communications to the hong merchants from the governor, but the British superintendent refused to change his position. In these documents Lord Napier was requested to return to Macao, there to petition to be received as a superintendent, and to await the emperor's decision. He was told that the laws of the Celestial Empire did not permit ministers and those under authority to have intercourse by letter with outside barbarians, especially in commercial affairs, and that any communications to them must be made through the hong merchants in the form of a petition, to which the barbarian merchants had always yielded willing and obedient submission. "There has never been," wrote the governor, "such a thing as outside barbarians sending a letter. . . . It is contrary to everything of dignity and decorum. The thing is most decidedly impossible."

In the matter of commerce, the governor defined the attitude of his government in very decided terms. "The barbarians of this nation [Great Britain] coming to or leaving Canton have beyond their trade not any public business; and the commissioned officers of the Celestial Empire never take cognizance of the trivial affairs of trade. . . . The some hundreds of thousands of commercial duties yearly coming from the said nation, concern not the Celestial Empire to the extent of a hair or a feather's down. The possession or absence of them is utterly unworthy of one careful thought." These declarations were followed by a notice that unless Lord Napier desisted from his efforts to hold direct

intercourse and withdrew to Macao, the trade with the British merchants would be stopped.

The controversy continued through the months of July and August with increasing irritation. The authorities encouraged the exhibition of every possible annoyance to the commission and the English residents; in communications of the hong merchants to Lord Napier, at the instigation of the governor, he was addressed as "laboriously vile;" and Chinese laborers and servants were forced to leave British service. Lord Napier's correspondence with his government shows that these annoyances were leading him to lose his temper. In referring to the governor he used such epithets as "petty tyrant" and "presumptuous savage."

Having been rebuffed in his efforts to establish intercourse with the officials, and it becoming apparent that his mission was to prove a failure, he published in the Chinese language and caused to be circulated a document, in which he reviewed the government's edicts, closing as follows: "Governor Loo has the assurance to state in the edict of the 2d instant that 'the King (my master) has hitherto been reverently obedient.' I must now request you to declare to them (the hong merchants) that his Majesty, the King of England, is a great and powerful monarch, that he rules over an extent of territory in the four quarters of the world more comprehensive in space and infinitely more so in power than the whole empire of China; that he commands armies of bold and fierce soldiers, who have conquered wherever they went; and that he is possessed of great ships, where no native of China has ever yet dared to

show his face. Let the governor then judge if such a monarch will be 'reverently obedient' to any one."

Finally, Lord Napier showing no disposition to retire to Macao, an edict was issued stopping all trade with the English. This brought on such a threatening state of affairs that a British force was sent up from the warships at the mouth of the river and lodged in the British factory. The next day the British squadron cleared for action, moved up the river, and as they passed the Bogue forts they were fired upon and returned the fire. Two days afterwards the firing was renewed between the forts and vessels, but after much parleying between the hong merchants and the British residents a truce was arranged. The result of this was that Lord Napier, out of regard for the merchants whose trade was stopped, and, in view of the hopelessness of bringing the governor to intercourse on terms of equality, decided to withdraw to Macao and there await instructions from his government. The warships were to leave the river, and trade was to be reopened.

The commission took its departure for Macao, August 21, in two boats provided by the Chinese authorities, the British vessels having already left; but the indignities did not cease. Lord Napier, who had fallen ill, owing to the great strain upon his nervous system, was twice detained en route by the Chinese, and subjected to exposure which it is alleged greatly aggravated his illness; and he did not reach Macao until four days after leaving Canton. He died at the former place, September 11, 1834. His physician certified that his illness was wholly attributable to the severe labor and anxiety

which devolved upon him, and that his death was hastened by the needless and vexatious detention and exposure to which he was subjected by the Chinese authorities. The governor reported to the emperor that the barbarian *eye* had been sent away, and the English ships had been driven out of the river.

On leaving Canton, Lord Napier, in a letter to the British residents, expressed "a hope that the day will yet arrive when I shall be placed in my proper position, by an authority which nothing can withstand." At the same time he wrote to Lord Palmerston, secretary for foreign affairs, that the viceroy had committed an outrage on the British crown which should be chastised, and he implored his lordship to force the Chinese to acknowledge his authority and the king's commission, stating that such a course would result in opening the ports. The American consul sent to the Department of State a report of the affair in detail. He regarded war between Great Britain and China as imminent, and suggested that it might be to the interest of the United States to become a party to the contest, at least to the extent of making demand, accompanied by the display of a naval force, for terms in every respect as advantageous as those England might obtain.[1] John Quincy Adams a few years later, in a public address, declared that the conduct of the Chinese authorities justified

[1] The official documents relating to Lord Napier's commission will be found in the British Blue Book, or Parliamentary papers, of the period. They are quite fully reproduced with all the details of the affair in 3 Chinese Repository, 143, 186, 235, 280, 324 ; 11 Ib. 25, 65. See, also, Williams's Hist. China, chap. iii. ; 47 N. A. Review, 403 ; Consul Shillaber, September 25, 1834, Consular Archives.

war on the part of Great Britain. But the British cabinet failed to approve the action of Lord Napier, and stated that it was its purpose not to establish commercial intercourse with China by force, but by conciliatory measures.

This occurrence strengthened the Chinese government in its policy of exclusion and of maintaining the trade regulations. It has been seen in the extracts from the edicts and its conduct towards Lord Napier that it regarded all foreign nations as subject to the emperor, and that their officials could only approach and hold intercourse with his authorities as vassals. So strongly was this policy imbedded in the imperial system that it could only be eradicated by the rude argument of force. War with Great Britain was for the time deferred, but the treatment of his Majesty's commission had its influence on the decision of the British government a few years later to resort to hostilities. It is to be regretted, for the sake of our Christian civilization, that the conflict which came in 1840, known as the "Opium War," could not have had as just a provocation as that growing out of this insult to the British nation and the death of its representative.

Opium was introduced into China in the thirteenth century by the Arabs, but its use was confined exclusively to medicinal purposes, as in most other countries, and when the European ships began to visit the East it had no importance as merchandise. As late as 1773, when the Portuguese were supplanted in the supremacy of the market by the English, the importation of the drug had never exceeded 200 chests annually. As a

result of the victory of Clive at Plassy, the British East India Company secured the exclusive privilege of opium cultivation, and it soon became its most important article of exportation. Three years after the East India Company obtained this monopoly, its importation to China had increased five fold, and in 1790 it had mounted up to 4000 chests, or twenty fold.[1]

By that time it was fast coming into popular use for self-indulgence as a narcotic, and its evil effects were so apparent in the vicinity of Canton that the governor of the province memorialized the emperor for its exclusion. He stated that it was "a subject of deep regret that the vile dirt of foreign countries should be received in exchange for the commodities and money of the empire, . . . and that the practice of smoking opium should spread among the people of the inner land, to the waste of their time and destruction of their property." In response to this memorial the emperor issued an edict in 1796 prohibiting its importation, and thenceforward the imperial authorities sought to suppress the traffic. The governor of Canton, in making proclamation to the foreign traders of this prohibition, told them that the Celestial Empire did not presume to forbid the people of the West to use opium and extend the habit in their dominions; "but," he said, "that opium should flow into this country where vagabonds clandestinely purchase and eat it, and continually become sunk in the most stupid and besotted state, so as to cut down the powers of nature and destroy life, is an injury to the minds and manners of men of the greatest magnitude;

[1] Encyclopædia Britannica, Article, *Opium*.

and therefore opium is most rigorously prohibited by law."

The profits on the sale of the article were so large that, notwithstanding the interdiction, the importation continued to grow. The supply came exclusively from India and every chest bore upon it the stamp of the East India Company, as its sale in India was a government monopoly. The trade was encouraged by that company, regardless of the fact that it had been made unlawful by imperial edict, and British ships were mainly used in its transportation, although those of other nationalities were to a limited extent engaged in it. Between 1820 and 1830 the importation to China had risen to 17,000 chests, and the smuggling was conducted along the coast from Tientsin to Hainan. Such a large and extended trade could not be carried on without the complicity or connivance of the local authorities, and it was apparent that the customs officials and even others higher in power were reaping private gain from the smuggling.[1]

The ineffectual efforts of the government to suppress the importation of opium led many intelligent Chinese to advocate its legalization under strict regulations as to its domestic sale, and memorials to that effect were sent to the emperor; but the court at Peking was so thoroughly satisfied that the use was a national evil of alarming proportions that it refused to listen to suggestions for a license system. While many mandarins at the ports were compromised in the illicit traffic, there is no doubt that the moral power of the empire sym-

[1] 6 Chinese Repository, 513; 7 Ib. 162; 2 Hist. China, Gutzlaff, 217.

pathized with and supported the emperor in his sincere and earnest efforts for its suppression.

More stringent orders were sent to Canton on the subject, and the arrests for violation of the prohibitory law became more frequent. One that attracted much attention was that of a Mr. Innes, a British merchant, and a Mr. Talbot, an American, in 1838, charged with complicity in the landing of opium at the factories. Both men were ordered to be expelled; but the American, upon investigation, was declared innocent. Owing to the hesitation of the British superintendent to execute the order of expulsion of Innes, a strong feeling of resentment was stirred up in the Chinese population, and the factories were threatened with mob violence. To show that the authorities regarded the foreign merchants as responsible for the opium traffic, they ordered a Chinese who had been detected in receiving the drug to be executed in the foreign quarter, and the officials were in the act of carrying into effect the sentence of strangulation of the culprit in front of the American consulate when they were driven away by a sudden onslaught of the foreign merchants. A short time afterwards another execution was successfully performed on the factory premises, which so outraged the residents that the consuls of all nations hauled down their flags, and for a time the trade was entirely suspended.[1]

At this period it would seem that the unlawful importation had become so open and notorious that the opium, which had in previous years been smuggled into

[1] For full report by U. S. Consul Snow, H. Ex. Doc. 119, p. 2, 26th Cong. 1st Sess.

the province from Lintin, at the mouth of the river, was now being brought into the foreign factories, and its introduction effected with the knowledge of the officials. The American consul reported that the amount imported in 1838 was about thirty-five thousand chests, of the value of $17,000,000. The emperor, learning that his edicts were not being properly enforced, determined to resort to more radical measures, and selecting one of his most trusted and energetic viceroys, Lin, he dispatched him to Canton as a special commissioner, bearing the great seal of the emperor, with full powers to put a stop to the importation, sale, and use of the vicious and hated drug.

It is said that the commissioner received his instructions in person from the emperor, who recounted to him the evils that had long afflicted his children by means of the "flowing poison," and, adverting to the future, paused and wept; then turning to the commissioner, said, "How, alas! can I die and go to the shades of my imperial father and ancestors until these direful evils are removed?"[1] Within a few days after his arrival Lin issued an edict, especially directed to the foreign merchants, in which he said that the emperor's wrath had "been fearfully aroused, nor will it rest till the evil be utterly extirpated." He thereupon ordered that the further importation of opium cease, under penalty of death, and that all of the unlawful article in their possession be delivered up to the authorities.

This order spread consternation among the merchants, the greater part of whom were engaged in the

[1] H. Ex. Doc. 119 (cited), p. 13; 7 Chinese Repository, 610.

illicit business. After some days of delay and negotiation through the hong merchants, fully determined to have every chest of opium on the ships or in the factories delivered up, Commissioner Lin caused the factory settlement to be entirely surrounded. On the water side were stationed a fleet of armed boats, and on the land side a double row of soldiers, while all the streets were walled up, leaving only one exit. The books and accounts of the merchants were seized; the Chinese clerks and servants were taken from them; no intercourse was allowed with the outside world, — even the supply of provisions was cut off; and the foreigners were held in their factories as strict prisoners. The British superintendent protested and threatened, but to no purpose. At last he delivered over to the Chinese authorities every chest of opium in the settlement, amounting to 22,283 chests, of the estimated value of $8,000,000. Of this number 1540 chests were held by the American merchants, but the consul reported that they were all British property, and as such surrendered to the British superintendent.

After the delivery of the opium, trade was again opened; but under the direction of the superintendent all the British residents left Canton. The American consul sympathized with the British in this movement; but his countrymen did not see proper to follow that course of action, and remained in Canton actively engaged in business till the British blockade of the port was established. The blockade and active hostilities did not begin till about a year after these events; but the British government at once began warlike prepara-

tions to avenge what it alleged to be the insult to its representative and the destruction of the property of its subjects.

The British superintendent, upon delivering up the opium, communicated to his home government his conviction that the Chinese authorities would cause the confiscated property to be sold, and profit by the sale; but the entire quantity was wholly and completely destroyed, and for the time being an end was put to the hateful traffic. The commissioner had thoroughly executed the orders of his sovereign, but in doing so he had initiated a conflict with the Western powers which was destined to vex the empire for many years to come, and ultimately to transform its relations with the outside world.[1]

It is beyond the scope of this volume to enter upon a detailed account of the "Opium War." No formal declaration of war was made by the British government, and no official explanation of its cause or purpose was given to the public other than an order in council to the Admiralty, stating that "satisfaction and reparation for the late injurious proceedings of certain officers of the emperor of China against certain of our officers and subjects shall be demanded from the Chinese government." A blockade of Canton was established June 22, 1840, and hostilities began July 5. After some indecisive operations along the coast, the fortifications which defended Canton were destroyed, and that city

[1] For American consul's report and official documents, H. Ex. Doc. 119 (cited), 13–85. For chronological order of events and citation of documents, 11 Chinese Repository, 345, 401.

was ransomed from assault by the payment of $6,000,-000. Amoy, Ningpo, and Shanghai successively fell into British hands. Chinkiang was taken by assault, sacked, and destroyed with horrible slaughter. Nanking was invested, and when about to be attacked the Chinese sued for peace.

All the boasted prowess of their generals had come to naught. They had been overwhelmingly defeated in every encounter with the British, and to save their ancient capital from destruction the emperor's plenipotentiaries made haste to accept the terms dictated by the victors. The treaty, signed August 29, 1842, provided for the opening of the ports of Canton, Amoy, Fuchau (Foo-chow), Ningpo, and Shanghai to British trade and residence; the island of Hongkong was ceded; $21,000,000 was to be paid as a war indemnity, of which $6,000,000 was for the opium destroyed, and $3,000,000 for debts due British subjects; a tariff of import and export duties was to be agreed upon, and official correspondence was to be conducted on terms of equality.[1]

A singular feature of the treaty was that no attempt was made in it to adjust the matter which had been the immediate occasion of the war, — the importation of opium. After the treaty was signed it appears that there was some discussion of the subject between the negotiators, initiated by the British plenipotentiary, who

[1] For treaty, see Treaties, Conventions, etc., Chinese Customs Edition, 107; for documentary history of the war, Chinese Repository, vols. 8 to 12; China during the War, etc., Sir John F. Davis, London, 1852; Narrative of Events in China, by Captain G. G. Loch, London, 1843; Williams's Hist. China, chap. iv.

referred to "the great cause which produced the disturbances which led to the war, viz., the trade in opium." The Chinese plenipotentiaries asked why the British "would not act fairly towards them by prohibiting the growth of the poppy in their dominions, and thus effectually stop a traffic so pernicious to the human race." The British answer was that this could not be done in consistency with their constitutional laws; that even if they ceased to bring opium to China the Chinese would procure the drug from some other source; and that it would be better to legitimatize the importation under proper regulations. But the Chinese replied that "their imperial master would never listen to a word on that subject." And after the war the illicit practice continued, to the physical and moral injury of the Chinese, and to the great financial profit of the British.[1]

The moral aspects of the war were at the time and have been since much discussed. The general judgment may be stated to be in condemnation of the British for the encouragement and maintenance of the trade, so injurious to the Chinese people, and so strongly condemned by their authorities. They were not justified in inaugurating hostilities because of the seizure and destruction of the opium, — an article made contraband by the laws of China and subject to confiscation. On the other hand, a conflict was recognized as inevitable and necessary to compel the Chinese government to treat other nations and their officials upon terms of equality,

[1] Narrative of Events, etc., by Captain Loch, 173; 1 China during the War, etc., by Davis, 18. As to condition of trade after the war, 2 Montgomery Martin's China, chap. vi.

and to establish intercourse with the world in accordance with modern methods. Dr. W. A. P. Martin, a close student of Chinese affairs and a resident of the country for half a century, says that nothing could be more erroneous than to charge England with waging the war for the sole purpose of compelling the Chinese to keep an open market for the product of her Indian poppy-fields; but he adds, referring to the treatment of Lord Napier in 1834 and to other similar events, "interest had to combine with indignation before she could be aroused to action." Dr. Nevius, an American missionary long a resident of China, wrote: "Justifiable or not, it [the Opium War] was made use of in God's providence to inaugurate a new era in our relations with this vast empire."

John Quincy Adams, in the address referred to before the Massachusetts Historical Society in November, 1841, took the ground that Great Britain was entirely justified in the war. The prevailing sentiment in the United States will be seen by the following extracts from Mr. Adams's diary: "Nov. 20, 1841. They [the Parliamentary papers] all confirm me in the view taken in my lecture . . . which is so adverse to the prevailing prejudices of the time and place that I expect to bring down a storm upon my head worse than that with which I am already afflicted." He records the refusal "in a very delicate manner" of the North American Review to publish the lecture, and adds, December 3, 1841, "The excitement of public opinion and feeling by the delivery of this lecture far exceeds

any expectation that I had formed; although I did expect that it would be considerable."[1]

The British historian, Justin McCarthy, says: "Reduced to plain words, the principle for which we fought in the China War was the right of Great Britain to force a peculiar trade upon a foreign people in spite of the protestations of the government and all such public opinion as there was of the nation." He proceeds to say that during the controversy, on some questions the British government was in the right, and on them had the issue been joined war might have been justified. "But no considerations of this kind can now hide from our eyes the fact that in the beginning and the very origin of the quarrel we were distinctly in the wrong. We asserted, or at least acted on the assertion of, a claim so unreasonable and even monstrous that it never could have been made upon any nation strong enough to render its assertion a matter of serious responsibility."[2]

The government of the United States was not unmindful of the interests of its citizens during the contest, and it kept a naval squadron continuously in Chinese waters until some months after the conclusion of peace. The commanding officer, Commodore Kearny, exhibited both firmness and skill in his intercourse with the authorities, and induced the governor

[1] Martin's Cathay, 21; China and the Chinese, by John L. Nevius, New York, 1869, p. 300; 11 Memoirs of J. Q. Adams, 30, 31. For Adams's address, Boston Transcript, Nov. 24, 1841; 11 Chinese Repository, 274.

[2] 1 A History of Our Own Times, by Justin McCarthy, London, 1879, pp. 165, 166.

of Canton to pay damages to the amount of several hundred thousand dollars for injuries suffered by Americans during the war on account of mob violence and illegal arrests. But he rendered a much more valuable service to his own and other nations, and for which he has received scant credit. By the British treaty it was provided that a tariff and new trade regulations should be agreed upon. On learning of this provision, Commodore Kearny addressed a communication to the governor of Canton, in which, referring to the expected arrival at that place of the imperial commissioners to arrange commercial affairs with the British, he asked that citizens of the United States in their trade should "be placed upon the same footing as the merchants of the nation most favored." In previous correspondence the governor had borne testimony to the fact that the American merchants at Canton had confined themselves "to legitimate and honorable trade," and in his reply to the commodore he said of them, "that they have been respectfully observant of the laws is what the august emperor has clearly recognized, and I, the governor, also well know. . . . Decidedly it shall not be permitted that the American merchants shall come to have merely a dry stick" — that is, their interests shall be attended to. And he assured the commodore that the emperor would be memorialized, in order that the imperial commissioners might be instructed on the subject.

Having received these assurances from the governor, Kearny prepared to take his departure, whereupon the American consul protested that he should not leave

until the commissioners arrived, as the presence of a large man-of-war in the vicinity would have a beneficial effect upon the deliberations. He urged that "the magnitude of our trade . . . of far greater extent than the whole South American trade," called for special attention at that critical time. The commodore was induced to remain for seven months longer, and had the great satisfaction of receiving the assurance from the commissioners that American citizens should participate equally with the British in the new tariff and trade regulations. Of this matter a member of the British commission wrote: "The Chinese government promised, on the representation of the American commodore, Kearny, previous to the treaty of Nanking, that whatever concessions were made to the English should also be granted to the United States. The throwing open the ports of China to Europe and America was not, therefore, the result of our policy, but had its origin in the anxious forethought of the Americans, lest we might stipulate for some exclusive privileges." It is pleasing to have the testimony of so high an authority to the efficient and useful service of an American officer.

In accordance with the British treaty, the new tariff, averaging the low rate of about five per centum, and the trade regulations, were put into operation by a notable proclamation of the imperial commissioner. "The tariff of duties," he announced, "will take effect with reference to the commerce with China of all countries, as well as of England. Henceforth the weapons

of war shall forever be laid aside, and joy and profit shall be the perpetual lot of all."[1]

It is due to the Chinese government to say that this grant of trade to all nations upon equal terms was an inspiration of its own sense of justice, as neither the emperor nor his commissioner had any knowledge of the rule of international law, — "the most favored nation," — at that day even imperfectly observed by the Christian governments. With this proclamation the monopoly of the co-hong and the old system ceased to exist, and modern commercial methods began to be practiced in the great empire.

It was not difficult to see that the results of the Anglo-Chinese war must result in benefit to the commerce of the world, and the government of the United States was not slow to take advantage of it at the proper time. The consul at Canton had at the outset of hostilities suggested that a favorable time to open negotiations for a commercial treaty was near at hand. The merchants of Boston interested in China about the same time transmitted a memorial to Congress asking that a strong naval force be sent to watch the progress of the war and protect American commerce, but they urged that no envoy be sent to China to negotiate until the war was concluded and its results made known. Dr. Peter Parker, who had spent some years in China as a medical missionary, was in Washington, and in April, 1841, he urged Secretary Webster to send

[1] S. Ex. Doc. 139, 29th Cong. 1st Sess. For Mr. Cushing's views, S. Ex. Doc. 67, p. 101, 28th Cong. 2d Sess.; 1 Montgomery Martin's China, 414; 12 Chinese Repository, 443.

a minister to that country, and consulted John Quincy Adams as to his willingness to go, telling him that Mr. Cushing and other members of the Committee on Foreign Affairs had suggested his name. Mr. Adams replied that if his name was to be considered he could not support the motion in the House for an appropriation, and that he regarded action at that time as premature.[1]

On the assembling of Congress after receipt of the news of the treaty of peace with Great Britain, the President, December 30, 1842, sent a special message to that body, giving information as to the terms of the treaty, and recommending that an appropriation be made to enable the executive to dispatch a special mission to that country to negotiate a treaty of commerce. The message, which was written by Daniel Webster, then Secretary of State, is an able statement of the importance of such a mission and of the relation of the United States to the Orient. While the subject was pending in Congress the selection of a proper person to send at the head of the mission was much considered. The President in his message had said that in view of the importance of the object, "a citizen of much intelligence and weight of character should be employed," and to secure the services of such an individual a compensation should be made corresponding with the magnitude and importance of the mission.

Congress soon made the necessary appropriation, and Mr. Webster, who was uncomfortable in the cabinet of

[1] H. Doc. 170, 26th Cong. 1st Sess.; 10 Memoirs of J. Q. Adams, 188; 10 Ib. 444.

President Tyler, and was seeking a creditable means of escape from his position, induced the President to nominate Edward Everett, then minister to Great Britain, for the special mission to China, expecting to succeed him at the court of St. James. But Mr. Everett preferred to remain in London, and another nomination had to be made. The choice fell upon Caleb Cushing, a member of Congress from Massachusetts.[1]

Mr. Everett was a gentleman of refined manners, and possessed a highly cultured mind, but Mr. Cushing, a shrewd lawyer and a plain-spoken man, was better fitted to cope with Chinese diplomacy.

Associated with Mr. Cushing was Fletcher Webster, son of the Secretary of State, as secretary of the legation, and Dr. Peter Parker and Rev. E. C. Bridgman, a missionary of Canton, were made Chinese secretaries. A surgeon was also attached to the legation, and five young men accompanied it as attachés. Mr. Webster, in his letter of instructions, had said that "a number of young gentlemen have applied to be unpaid attachés to the mission. It will add dignity and importance to the occasion, if your suite could be made respectable in numbers, by accepting such offers of attendance without expense to the government." A squadron of one frigate, a sloop of war, and a steam frigate, was placed at the service of Mr. Cushing by the Secretary of the Navy to convey the members of the mission to China. He thus went to his post with much more display than has been usual with American diplomats; and it is

[1] 4 Presidents' Messages, 211; A Century of American Diplomacy, by John W. Foster, Boston, 1900, pp. 289, 296.

stated that on his arrival at Macao he established himself in the house of a former Portuguese governor, and created "a profound sensation in the colony by the novelty and magnitude of his mission as well as by his attractive personal qualities;" although he reports somewhat regretfully the arrival at Canton, just after he had completed his mission, of a French embassy, "arranged on a scale of much greater expense than that of the United States," and well adapted for the object of making a strong impression on the minds of the Chinese.[1]

The letter of instructions was signed by Mr. Webster, and it shows his wide grasp of public questions. He referred to the recent occurrences in China as likely to be of much importance as well to the United States as to the rest of the civilized world. He anticipated that the imperial government would not be prepared to enter into close political relations; that the mission would be only friendly and commercial in its objects; and he dwelt at some length upon the already considerable commerce and the possibility of its enlargement. Mr. Cushing was instructed to explain the geographical situation of the United States, to state that its aims were free from territorial aggrandizement or aggression, and that neither he nor his government would encourage or protect its citizens in violating the laws of China as to trade. He was also to make clear that the United States would insist upon equality in intercourse, that he was not a "tribute-bearer," and that it was not

[1] S. Doc. 138, 28th Cong. 2d Sess. p. 6; Life and Letters of S. Wells Williams, by F. W. Williams, New York, 1889, p. 126.

the practice of his government either to give or receive presents. He was directed to reach Peking, if possible, in order to place the letter of the President to the emperor into the hands of that sovereign, or of some high official in his presence, and to consult the national pride as far as possible, but under no circumstances to do any act that would imply the inferiority of his government. It was expected that he would make a treaty similar to that of Great Britain, and if he was able to make one containing fuller stipulations, it would be conducting Chinese intercourse one step further towards the principles which regulate the public relations of the European and American states.

While the letter of instructions was dignified and able, the letter signed by the President and addressed to the emperor of China fell much below that character. In the interval between Mr. Cushing's appointment and his departure, Mr. Webster had retired, and the Department of State passed through *ad interim* hands, during which time the letter of the President to the emperor was drafted. Its merit may be seen from the following extracts: —

"I, John Tyler, President of the United States of America — which States are [here follow the list] — send you this letter of peace and friendship, signed by my own hand.

"I hope your health is good. China is a great empire, extending over a great part of the earth. The Chinese are numerous. You have millions and millions of subjects. The twenty-six United States are as large as China, though our people are not so numerous. The

rising sun looks upon the great mountains and rivers of China. When he sets, he looks upon rivers and mountains equally large in the United States. . . . Now my words are, that the governments of two such great countries should be at peace. It is proper, and according to the will of Heaven, that we should respect each other, and act wisely. I therefore send to you Count Caleb Cushing, one of the wise and learned men of this country. On his arrival in your country, he will inquire for your health. . . . Our minister is authorized to make a treaty to regulate trade. Let it be just. Let there be no unfair advantage on either side. . . . And so may your health be good, and may peace reign."[1]

The American squadron bearing Mr. Cushing and his suite anchored off the Portuguese port of Macao February 24, 1844. On the 27th he sent a letter to the governor-general of the provinces, of which Canton is the capital, informing him that he had arrived, holding a commission from the President of the United States to negotiate, with a like commissioner of the emperor of China, a treaty to regulate the intercourse between the two countries; that he was on his way to Peking to deliver to the emperor a letter from the President; but that as his vessels must be detained a few days at Macao before proceeding to the Pei-ho, he embraced the occasion to address the governor-general, as the nearest authority, to express the most ardent wishes of his government and himself for the health, the happiness, the prosperity, and the long life of his Imperial

[1] S. Doc. 138, pp. 1, 8, 28th Cong. 2d Sess.

Majesty; and he asked of his excellency the favor to be immediately informed of the well-being of the emperor in order that he might communicate it to the President.

This communication initiated a correspondence which continued for three months. The Chinese are accomplished letter writers, but the governor-general found in the astute American lawyer quite a match for himself. The governor responded to Mr. Cushing's first note, in which the latter "truly, sincerely, and respectfully inquired after the health and happiness of the August Emperor, which evinced respectful obedience, and politeness exceedingly to be praised;" and he informed him that the great emperor was in the enjoyment of happy old age and quiet health, and was at peace with all, both far and near. But as to going to Peking, it was not to be thought of till, waiting outside, the "August Emperor's will" had been ascertained; that for a man-of-war to go hastily to Tientsin was "to put an end to civility, and to rule without harmony;" that if the business was to negotiate about trade, the emperor must appoint a commissioner to come to the frontier; and that the American envoy should await at Macao till the emperor was advised of his mission and his wishes were made known.

Mr. Cushing replied that the Chinese government had been notified by the American consul several months in advance that he was to arrive for the purpose of negotiating a treaty,[1] and if it had been the desire of the emperor to negotiate at the frontier, he

[1] Consul Forbes, Oct. 7, 1843, Consular Archives.

would have sent a commissioner to Canton for that purpose; that he had been instructed to go to Peking and deliver the President's letter to the emperor; and if the governor did not think it prudent for him to go to Tientsin in a warship, he was ready to proceed to the capital overland.

The governor, in response to this proposition, said the way was long overland, the crossing of the rivers was inconvenient, and he desired to save the American envoy the great trouble and weariness the journey would occasion him; that he would notify the august emperor of the envoy's arrival, and memorialize the throne for the appointment of a commissioner; and that in the mean time he should "tranquillize himself" at Macao, as otherwise his movements might eventuate in the loss of the invaluable blessing of peace.

There seemed nothing else for Mr. Cushing to do but accept the situation, nevertheless he found enough to occupy the months consumed in learning the emperor's will. The commander of the flagship, the Brandywine, thought to take a sail up the river to Canton, but he was stopped at Whampoa, and ordered to return to the anchorage at Macao. Mr. Cushing protested that it was only a friendly visit, but he was told that the British governor of Hongkong after the peace, in making a visit to Canton, left his ship at the mouth of the river and came up in a small boat; that the commander of the Brandywine must do likewise, and by a return of his ship to Macao he would obey the fixed laws of the land, and exhibit the courteous friendliness subsisting between the two nations.

After two and a half months had passed, Mr. Cushing was advised of the emperor's decision. "America never as yet having gone through with presenting tribute," the coming to Tientsin and the capital to negotiate would be irregular; that he had appointed as high commissioner with the imperial seal, Tsiyeng (or Kiying); and that he was traveling with all speed to Canton to meet the American plenipotentiary. The appointment of Tsiyeng was a happy one, as he possessed fully the emperor's confidence, and had shown his fitness for the work in the supplementary treaty as to trade which he had a few months before agreed upon with the British plenipotentiary.

On the 9th of June Mr. Cushing received a letter from Tsiyeng, advising him of his arrival in Canton, and added that "in a few days we shall take each other by the hand, and converse and rejoice together with indescribable delight." In view of the many delays and tergiversations experienced, doubtless Mr. Cushing accepted this as a somewhat exaggerated figure of speech. But his relations with Tsiyeng proved in the main quite satisfactory. Only one untoward incident need be noticed. In the address of two of the communications of the commissioner, the name of the Chinese government stood higher in column by one character than that of the United States, a Chinese method of indicating the relative dignity of the parties to a correspondence. Mr. Cushing returned the letters with an expression of his belief that his excellency would "see the evident propriety of adhering to the form of

national equality." Tsiyeng immediately caused the address to be corrected and returned.[1]

The Chinese high commissioner and his suite arrived at Macao on June 16. After a few days spent in the exchange of visits and social courtesies, the formal negotiations were opened on the 21st, by the submission of a draft of treaty proposed by Mr. Cushing. The Secretary, Mr. Webster, and the two Chinese secretaries of the legation met three members of the Chinese embassy, and discussed the project in detail, with occasional conferences between Mr. Cushing and Tsiyeng. The treaty was concluded without any serious difficulty, and preliminary to its signature a dinner was given to the Chinese embassy at the house of the American legation, attended by the American ladies residing at Macao.

On July 3, 1844, the treaty was signed at the temple occupied by the Chinese embassy, in a suburb of Macao called Wang Hiya. The ceremony of signing was a simple one, the members of the legation and embassy being the only witnesses, and no presents were made. After the execution of the treaty, an entertainment was served by the Chinese, and congratulations were exchanged on the speedy and happy issue of the negotiations. A singular fact attended these events. Mr. Cushing had not set foot on Chinese territory nor had he had personal intercourse with a single high Chinese official except the embassy up to the time of signing the treaty, and that instrument had been negotiated and executed on foreign (Portuguese) territory.

[1] For full correspondence, S. Ex. Doc. 67, pp. 2–38, 28th Cong. 2d Sess.

Mr. Cushing having abandoned the idea of going to Peking, the letter of the President to the emperor of China was delivered to Tsiyeng at the time of signing the treaty, upon his assurance that he would respectfully forward it to his august sovereign.

In transmitting a copy of the treaty to the Secretary of State, Mr. Cushing pointed out sixteen particulars in which his treaty contained provisions not embraced in the British treaty negotiated at the conclusion of the war. In his dispatch he says: "I ascribe all possible honor to the ability displayed by Sir Henry Pottinger in China, and to the success which attended his negotiations; and I recognize the debt of gratitude which the United States and all other nations owe to England, for what she has accomplished in China. From all this much benefit has accrued to the United States. But, in return, the treaty of Wang Hiya, in the new provisions it makes, confers a great benefit on the commerce of the British empire; . . . and thus whatever progress either government makes in opening this vast empire to the influence of foreign commerce is for the common good of each other and of all Christendom."[1]

One of the most important of the provisions of the Cushing treaty was that relating to what is known in international law as "exterritoriality," as applied to non-Christian countries. This principle had been observed to a limited extent for many years between the European and Mohammedan countries; but in this treaty it was broadened and made more explicit by the

[1] For text of treaty, see Treaties and Conventions of United States, 144; for correspondence, S. Ex. Doc. 67 cited, pp. 38, 77.

skill of an able lawyer. In criminal cases the offender was to be tried by the laws and authorities of his own country. In civil cases between American citizens in China their consuls were to have exclusive jurisdiction, and civil cases between Americans and Chinese were to be adjusted by the joint action of the authorities of the two nations.

On this subject Mr. Cushing's position was that Western nations could not make civilization the test of equality of intercourse, for it was impossible to deny to China a high degree of civilization, though, in many respects, differing from theirs; but it is such as to give to her as complete a title to the appellation of civilized, as many, if not most, of the states of Christendom can claim. In an exhaustive review of the subject to the Secretary of State, he said: "I entered China with the formed general conviction, that the United States ought not to concede to any foreign state, under any circumstances, jurisdiction over the life and liberty of any citizen of the United States, unless that foreign state be of our own family of nations; in a word, a Christian state. The states of Christendom are bound together by treaties, which confer mutual rights and prescribe reciprocal obligations. . . . How different the condition of things out of the limits of Christendom. . . . As between them and us, there is no community of ideas, no common law of nations, no interchange of good offices." To none of the governments of this character did it seem to him safe to commit the lives and liberties of citizens of the United States.

The privilege of exterritoriality had a very early

origin, but in its modern application it may be traced to the time of the occupation of Constantinople by Mohammed II., when he freely gave to the Christian residents substantially the same privileges they had previously enjoyed. It was done as much for the convenience of the sovereign as for the foreign powers. As early as the ninth century the Chinese granted special privileges to the Arabs, who built a mosque at Canton and were governed by their own laws. During the intercourse of the Cantonese authorities with Europeans up to the time of the Opium War, the latter were not interfered with except in criminal acts against Chinese. The Portuguese at Macao were given local self-government, and the consuls in the foreign settlement outside of Canton were permitted to exercise jurisdiction over their countrymen. Hence it was not difficult for Mr. Cushing to secure the large grant of treaty powers indicated. For the enforcement of these powers in foreign countries Congress has passed various statutes.[1]

His services in this respect gained for Mr. Cushing much credit, and his treaty, because of its fullness of detail and its clear statement of rights, became the leading authority in settling disputes between the Chinese and foreigners up to the treaty revision of 1858–1860. A high British authority of the period, already cited, writes: "The United States government in their treaty with China, and in vigilant protection of their

[1] S. Ex. Doc. 58, p. 4, 28th Cong. 2d Sess.; Cushing's Opinion, 7 Opinions Attys. Genl. 342; President Angell in 6 Am. Hist. Review, January, 1901, p. 255. An act was passed by the 30th Congress in 1848, see 9 U. S. Stat. at L. 276; also U. S. Revised Statutes, sects. 4083–4130.

subjects at Canton, have evinced far better diplomacy, and more attention to substantial interests than we have done, although it has not cost them as many groats as we have spent guineas, while their position in China is really more advantageous and respected than that of England, after all our sacrifices of blood and treasure."[1]

But it was not the good fortune of the American envoy to escape criticism entirely. His intercourse with the Chinese plenipotentiary seemed to have been of a very satisfactory character, but when Tsiyeng came to send his report to the emperor he was neither polite nor complimentary in the use of language, as the following extracts from his memorial show: "The original copy of the treaty, presented by the said barbarian envoy, contained forty-seven stipulations. Of these some were difficult of execution, others foolish demands; and the treaty was, moreover, so meanly and coarsely expressed, the words and sentences were so obscure, and there was such a variety of errors, that it was next to impossible to point them out. Your slave Tsiyeng, therefore, directed the treasurer Hwang and all the deputed mandarins to hold interviews with the Americans for days together. We clearly pointed out whatever was comprehensible to reason, in order to dispel their stupid ignorance, and to put a stop to delusive hopes; and we were obliged to polish those passages which were scarcely intelligible. . . . Some points have been discussed more than a thousand times at least, others five or six times. It was then that the said bar-

[1] Williams's Hist. China, 215; 1 Montgomery Martin's China, 428.

barian envoy submitted to reason, and being at a loss what to say, was willing and agreed to have the objectionable clauses expunged."[1] An examination of Tsiyeng's extended memorial shows that it was his own ignorance of international law and the usages of nations that made Mr. Cushing's first treaty draft a labyrinth of mysteries to him. The latter, after he had concluded his negotiations, spoke of his Chinese colleague in high terms as "a liberal-minded statesman." Possibly Mr. Cushing might have modified his estimate of his character had he been aware of his report to the emperor. It will be seen that Tsiyeng's later career did not justify it.

Although the special duty which brought Mr. Cushing to China had been accomplished in the signing of the treaty, he remained for some time to care for the interests of the American residents. Among other matters he concerted an arrangement with the governor-general for the extension of the grounds of his countrymen at Canton, the construction of a solid wall about the factories, the erection of gates to the foreign settlement, and the establishment of an efficient police for its protection and the enforcement of sanitary regulations.

The coming of the mission was the innocent cause of much trouble to the Cantonese and foreign residents, for the squadron which bore it also brought to the American consul a new flagstaff and weather-vane. About the time of its erection sickness prevailed to an unusual extent in Canton and its vicinity, and it was

[1] 1 Montgomery Martin's China, 424.

attributed to the evil effects of the weather-vane. The feeling became so intense that the consulate was threatened by a mob, and in order to quell the excitement the weather-vane had to be removed. The native gentry, appreciating the conciliatory action of the consul, issued a proclamation to the people to quiet their animosity, in which they described the vane "which shot towards all quarters, thereby causing serious impediment to the felicity and good fortunes of the land." Commending the conduct of the consul and his countrymen, the proclamation closes thus: "Having shown themselves obliging, we ought to excuse them. Henceforth, we sincerely pray that all may be at peace, and thus looking up we may participate in our emperor's earnest desire to regard people from afar with compassion."

While the negotiations for the treaty were in progress at Macao a mob assaulted the foreign settlement, and in self-defense a party of Americans fired upon the assailants and a Chinaman was killed. The authorities demanded the delivery of the party firing the fatal shot, and a correspondence ensued between Mr. Cushing and Tsiyeng. A jury of Americans, impaneled by the consul, examined the affair and decided that it was clearly an act of self-defense, and Mr. Cushing induced the authorities to accept this investigation as a satisfactory form of trial. It is noted as the first criminal case in China after the negotiation of the treaties in which the practice of exterritoriality was recognized.[1]

[1] 13 Chinese Repository, 276; S. Ex. Doc. 67, p. 62, cited; 1 Montgomery Martin's China, 413.

Severe criticism has been passed upon Mr. Cushing for not executing the instructions of his government to go to Peking, and, upon his arrival at Canton, for permitting himself to be diverted from his announced intention to proceed to Tientsin with his naval squadron. He evidently felt the force of this criticism, as he made his action in this regard the subject of several dispatches to the Secretary of State. It is apparent from the correspondence that he could not have persisted in his purpose to go to Tientsin without awakening the suspicion, if not hostility, of the Chinese; neither would he have been permitted to hold audience with the emperor at Peking, without submitting to indignities in conflict with his instructions and his own sense of independence and honor. The main purpose of his mission was to secure a treaty to protect Americans in their commerce. This he successfully accomplished. He would possibly have failed in this object had he gone to Tientsin. A British writer says, that upon the arrival of the French embassy, with a large naval force, the French envoy proposed to Mr. Cushing to go jointly to Tientsin, and insist upon an audience of the emperor.[1] Mr. Cushing makes no mention of this in his correspondence, but if such a proposition was made he acted wisely in declining it. His treaty had already been signed with a cordial exchange of congratulations, and a hostile demonstration so near the capital would have been justly interpreted by the Chinese as a breach of good faith.

[1] S. Ex. Doc. 67, pp. 32, 34, 39, 58; 1 Montgomery Martin's China, 424.

On August 27, 1844, just six months after his arrival, Mr. Cushing sailed from Macao, for San Blas, Mexico, whence he proceeded overland to Vera Cruz, and thence to Washington.

The man who so skillfully conducted the negotiations which initiated the diplomatic intercourse of the United States with the great empire of China calls for more than a passing notice. He was a unique figure in American political affairs, and occupied a prominent place before the public for more than forty years. After graduating at Harvard College he devoted himself to the law, and began public life as a Jeffersonian Democrat; he successively held the offices of member of the legislature, member of congress, and justice of the supreme court of Massachusetts; joined the Whig party in the campaign of 1840; transferred his party allegiance to Tyler on the death of Harrison as President; for many years was an ardent Democrat, strongly supporting the Mexican war, in which he was a general; a faithful adherent of the Southern wing of the party at the Charleston and Baltimore conventions, which nominated Breckinridge as the proslavery candidate for President in 1860; became a supporter of Lincoln and the Union cause; a follower of President Johnson, and again a Republican during the Grant administration. Thrice was he nominated by Tyler as Secretary of the Treasury and thrice rejected by the Senate; he held the post of Attorney-General under Pierce; and was three times minister to foreign countries; and his last public duty was as counsel, associated with Evarts and Waite, before the Geneva tribunal of arbitration.

No man of his time had such a checkered political career.

He was an accomplished scholar, and one of the ablest lawyers in the United States. Few men of his generation rendered such important services to his country. Yet, notwithstanding his acknowledged abilities, his character was not such as to command public confidence. He was nominated by President Grant to be chief justice of the supreme court, but the Senate failed to confirm him. He is one of several examples in American history, where moral obliquity has, in the judgment of the American people, been an obstacle to a public man's preferment.

The negotiation of a treaty with France soon followed that made with the United States in 1844, and both the Chinese and foreigners began to adapt themselves to the new conditions. But more or less trouble was experienced at all of the five treaty ports and more especially at Canton. Here the unruly population resisted the proclamation, issued by the governor-general in execution of the treaties, to open the city to the intercourse of foreigners; riots occurred in which the American and other consulates and commercial houses were threatened, and the opposition continued so serious that the attempt to open the gates was abandoned, and Canton remained closed till the war of 1858.[1] In lieu of the observance of the treaties in this respect, the area of the foreign settlements outside the walls was enlarged, and in other respects the authorities manifested a fair degree of interest in the enforcement of the treaties.

[1] 15 Chinese Repository, 46, 364.

American commerce seemed to have received an impulse from the treaties. The arrivals of American ships in 1848 are reported as follows: 67 at Canton, 20 at Shanghai, and 8 at Amoy, standing first after the British. It is seen that Canton still held the bulk of the trade as against Shanghai, which was soon to become the centre of foreign commerce.

Upon the retirement of Mr. Cushing in 1845, Alexander H. Everett was appointed commissioner to China. He reached Canton in October, 1846, in ill health, and died at that place June 29, 1847. He had had large diplomatic experience, having been minister at St. Petersburg, The Hague, and Madrid, and was a gentleman of high natural endowments and literary attainments. His death so soon after his arrival at his post was much lamented, and his obsequies were attended by all the foreign officials, diplomatic, consular, and military. His successor was John W. Davis, of Indiana.

The residence of the American diplomatic representative was nominally in the foreign settlement outside the walls of Canton, but until the opening of Peking to the diplomatic representatives of the treaty powers in 1860 their residence was of a peripatetic character. The imperial government delegated a high commissioner to reside at Canton, with whom the foreign representatives were to hold diplomatic intercourse, but the sequel will show that audience with him was rarely attainable, and the diplomats found a residence at the Portuguese port of Macao more agreeable. The rising commercial importance of Shanghai led to frequent visits by them to that place, and Hongkong, where the British governor

was established, was also found a convenient place of call or temporary sojourn. It required another war and the march of hostile armies into the Chinese capital to open it to the visit and residence of the representatives of the foreign powers.

IV

INDEPENDENT HAWAII

THE situation and resources of the Hawaiian Islands pointed them out to early navigators as destined to play an important part in the commercial and political affairs of the Pacific. Standing alone in the great ocean, the group must necessarily act as an outpost of the North American continent. Lying in the track of navigation from the central part of that continent to the great islands in the South Pacific, and in the direct course from the Isthmus of Panama to Japan and China, it was plain their harbors would become the resort of the shipping of the world. The trade winds which constantly fanned their shores and the cold currents from the Arctic seas made for these islands within the tropics a most healthful and delicious climate. The genial sun, the plentiful rains, and the mountain elevations caused the soil to respond to every desire of man. It was verily the *Paradise of the Pacific*.

The islands were not discovered until two years after the United States had declared its independence. But in the very year that the new government was set in motion under President Washington, American traders established themselves there and initiated a commerce, which, with these islands as a base of operations, soon

grew into a flourishing and lucrative trade, and for the succeeding century made the American influence the predominating factor in their destinies.

Reference has already been made to the fur trade which was early carried on by the vessels of the United States between the northwest coast of America and Canton. This trade had its origin in the action of several merchants of Boston in 1787, who formed an association for the purpose of combining the fur trade of that coast with the Chinese trade. With this object in view they freighted two ships, the Columbia, Captain Kendrick, and the Washington, Captain Gray, with articles especially adapted for barter with the Indians, and the vessels set sail, via Cape Horn, on their long voyage through an unknown sea. After many trials they reached their destination, in 1788, exchanged their merchandise for furs, loaded them on the Columbia, under command of Gray, which vessel made the voyage to Canton, there bartered the furs for a cargo of tea and returned to Boston by the Cape of Good Hope, after an absence of three years, thus having the distinction of being the first ship to carry the American flag around the world.

Kendrick, with the Washington, remained on the coast, and afterwards established himself on the Hawaiian Islands, where he lost his life by accident in 1793. Gray left Boston on his second trading voyage in 1790, and it was in the course of this expedition that he discovered and entered the Columbia River. To the Boston fur traders must be ascribed the credit of laying the foundation of the great territorial possessions

of the United States on the Pacific slope of the continent.[1]

The pioneer venture of the Columbia marked out the course of traffic to be pursued by the many ships which soon followed. They sailed mainly from the ports of New England, ladened with merchandise and trinkets for the Indians, and passing around Cape Horn went direct to the northwest coast. Here they exchanged with the natives their goods for furs. As the inclement weather approached they resorted to the Hawaiian Islands, where they spent the winter drying and curing their peltries. The following spring found them again trading along the American coast, whence returning to the islands they took on board the skins gathered the year before, and sailed for Canton. By the sale or barter of these furs they laid in a cargo of teas, silks, porcelain, etc., and returned to the United States after an absence of two or three years. The profits of this trade, as already shown, were very large, amounting in successful voyages, according to some narratives, to "one thousand per cent. every second year." But it involved great perils and arduous labors, and called forth energy, courage, and skill — characteristics which distinguished the early American navigators.[2]

Captain Vancouver, R. N., who was sent out by the

[1] Hist. of Oregon, etc., R. Greenhow, Boston, 1845, pp. 179, 200, 229, 235 ; Oregon and Eldorado, T. Bulfinch, Boston, 1866, pp. 1–3 ; Northwest Fur Trade, W. Sturgis, Hunt's Mag. xiv. 534.

[2] Hist. of Oregon, R. Greenhow, 266 ; 1 Astoria, Washington Irving, New York, p. 31 ; Adventures of the First Settlers, etc., A. Ross, London, 1849, p. 4 ; Hist. of Hawaiian People, W. D. Alexander, New York, 1891, p. 127.

British government on a voyage of discovery, visited these islands in 1792, and found American traders already located there. He discourses at some length in his narrative upon "the commercial interests they are endeavoring to establish in these seas;" refers to the new industry being developed by them in sandalwood, which abounded in the islands and commanded an exorbitant price in China and India; and he states that such immense profits had been derived by the Americans from the fur trade that it was expected as many as twenty vessels would arrive the next season from New England to engage in the industry. Captain Delano of Boston, already cited as an early voyager of extensive travels, spent some time at the Hawaiian Islands in 1801. He speaks of a company of Boston merchants which had been established there for some years engaged in the fur and sandalwood trade, which they had found very profitable; and he predicted the future importance of the islands because of their central situation, the delightful climate, and fertile soil. For twenty or thirty years the Americans had almost the exclusive control of this lucrative trade, for the reason that the Russians were limited to the overland intercourse with China, and private British ships were excluded from the Canton market by the monopoly of the East India Company, which did not venture into the fur trade. Sandalwood proved a great additional source of profit to the Americans, as it also was to the islanders. The king and chiefs held the cutting of the wood as a special privilege, and it was described as "a mine of wealth" for them. By means of it they were

enabled to supply themselves with schooners, boats, arms, ammunition, liquors, etc. Writers of the period refer to sandalwood as "the standard coin," it being for the natives the chief article of barter.[1]

In the course of time, however, the character of the commerce and intercourse with the islands changed. For various reasons the fur trade lost much of its value, and the supply of sandalwood began to be exhausted. In this languishing state of trade, an industry, new to the North Pacific, suddenly sprang into importance, but fortunately for the American supremacy in the islands it was one in which they had long held preëminence in other parts of the world. The first vessel engaged in whaling arrived in the Hawaiian Islands in 1819, but the number rapidly multiplied and the commerce of the islands was soon transformed by them.

While they were yet colonists of Great Britain, the Americans had shown their superior skill in the whaling industry. The statistics show that in 1775 the principal countries engaged in it were as follows: France, a very few vessels; Holland, 129 vessels; England, 96; while the American colonies had 309 vessels, manned by 4000 seamen, with a product in oil and whalebone of $1,111,000 in value. Edmund Burke, in his famous speech for conciliation with the colonies, devoted one of his eloquent passages to the American whaler. He said: "Look at the manner in which the people of New England have of late carried on the

[1] 1 A Voyage of Discovery, etc., Captain George Vancouver, London, 1798, pp. 172, 188; Delano's Voyages, 397, 399; Alexander's Hawaii, 156; Papers of Hawaiian Hist. Society, No. 8, p. 15.

whale fishery. Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest recesses of Hudson's Bay and Davis's Straits, whilst we are looking for them beneath the Arctic circle, we hear that they have pierced into the opposite region of Polar cold — that they are at the Antipodes, and engaged under the frozen serpent of the South. . . . No ocean but what is vexed with their fisheries, no climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dextrous and firm sagacity of English enterprise, ever carried their perilous mode of hardy enterprise to the extent to which it has been pushed by this recent people — a people who are still, as it were, in the gristle, and not yet hardened into the bone of manhood."[1]

The war of the Revolution, from which Burke would have gladly saved them, and which suspended their activity in that direction, did not turn the New Englanders from their chosen avocation. Within two months after the preliminary treaty of peace was signed and before the permanent treaty had been agreed upon, a London newspaper of the period announced: "On the third of February, 1783, the ship Bedford, Captain Moores, belonging to Massachusetts, arrived in the Downs. She was not allowed regular entry until after some consultation between the commissioners of customs and the Lords of the Council, on account of the many acts of Parliament yet in force against the rebels of America. She was loaded with 587 barrels of whale oil and manned

[1] 2 Works of Edmund Burke, Boston, 1866, p. 117.

wholly with American seamen, and belonged to the island of Nantucket. The vessel lay at the Horsley-Downs, a little below the Tower, and was the first which displayed the thirteen stripes of America in any British port."

Notwithstanding this early indication of activity, the whale fishery did not quickly assume its former proportions, owing to the heavy bounties of other governments and the embarrassment to our commerce from the Napoleonic wars. Not till after the second war with England did the American industry regain its ascendancy. These reasons explain the late appearance of its whaling vessels in the Pacific. In 1847, when the industry was near its height, it is estimated that the total number of vessels of all nations engaged was about 900, and that of this number more than 800 were Americans, representing an investment of $20,000,000 and an annual product of $13,000,000.

The whaling vessels visiting the Hawaiian Islands soon increased. Six arrived the year after the first one appeared in 1819, the year following more than thirty are reported, and in 1822 twenty-four whalers were seen in Honolulu at one time. From that period forward to the Civil War, when the American whaling fleet was almost swept from the ocean by the Confederate cruisers, the whaling interest was the prominent feature of the island commerce. The number of vessels entered at the port of Honolulu for twenty years from 1824 was 2008, of which 1712 were whalers, and more than three fourths of them were American. The business reached its culmination about 1845, when the local government reported that 497 whalers, manned by 14,905 sailors,

refreshed in the ports of the islands. As late as 1863 the number of whaling vessels visiting Honolulu was 102, of which 92 were American. But during the year following one of the Confederate cruisers appeared in the North Pacific, and the industry for a time disappeared. The fleet fell off to 47 in 1871, and since that date has steadily declined, owing in great measure to the scarcity of whales. But for more than thirty years it was the chief dependence of the islands for their prosperity; the vessels disbursed large sums for supplies and repairs; and the inhabitants, being excellent seamen, were largely employed on the vessels.[1]

Notwithstanding the commercial interests caused the American influence to be predominant in the Hawaiian Islands, a new element was added which increased it and still more affected the social and political development. When they were discovered by Captain Cook in 1778, the different islands were ruled by rival chiefs and were almost continuously in a state of warfare. Captain Vancouver, on his arrival in 1792, found Kamehameha, king of the island of Hawaii, the largest of the group, intent on bringing all the other chiefs into subjection to his rule. He was possessed of military capacity and of many of the higher qualities of manhood, and Vancouver not only advised the rival chiefs to accept his sovereignty, but he instructed him in the arts of war

[1] Hist. American Whale Fisheries, A. Starbuck, U. S. Fish Commission, 1875–6, pt. iv. pp. 96, 225; Residence in Sandwich Islands, H. Bingham, New York, 1847, p. 609; Hist. Hawaiian Islands, J. J. Jarves, Boston, 1843, p. 231; The Hawaiian Islands, R. Anderson, Boston, 1865, p. 251; Alexander's Hawaii, 181, 297; W. H. Seward in U. S. Senate, July 29, 1852, Cong. Globe, vol. xxiv. pt. ii. p. 1973, 32d Cong. 1st Sess.

and built and armed for him a small vessel, which proved an important addition to his military establishment.

Kamehameha eventually became the ruler of the whole group, and thus laid the foundation of Hawaiian nationality. He ended his career in 1819, and his death was followed by strange and unexpected events. The natives had for generations been practicing a degrading and sanguinary idolatry and a superstitious and tyrannical system known as *tabu*. The advisers of the young king Liholiho induced him to put an end to both as false and as injurious to his people.

These events synchronized with the dispatch from Boston, by the American Board of Foreign Missions, — an organization of the Congregational churches of New England, — of a company of missionaries to propagate among the Hawaiians the doctrines of Christianity. A zeal for foreign missions had a few years before been awakened in the churches of that denomination especially, and the attention of their board of missions being attracted to the Hawaiian Islands by the intimate relations of the New England merchants and vessels with them, this movement was set on foot to convert the natives to Christianity.

The first missionaries were kindly received, and hopefully entered upon their labors under favorable conditions. Additional missionaries were sent out from the Boston board, and soon they were actively at work throughout the group. Such great success attended their labors that within a few years the larger part of the population were reported as adherents of Christianity, including the king and the court. In 1843,

John Quincy Adams, then chairman of the Committee of Foreign Affairs of the House, made a report to Congress in which he spoke of this achievement as follows: "It is a subject of cheering contemplation to the friends of human improvement and virtue that, by the mild and gentle influence of Christian charity, dispensed by humble missionaries of the gospel unarmed with secular power within the last quarter of a century, the people of this group of islands have been converted from the lowest abasement of idolatry to the blessings of the Christian gospel; united under one balanced government; rallied to the fold of civilization by a written language and constitution providing security for the rights of persons, property, and mind, and invested with all the elements of right and power which can entitle them to be acknowledged by their brethren of the human race as a separate and independent community."[1]

The islands were visited in 1860 by the well-known American, Richard H. Dana, who, after spending some time in investigating the work of the missionaries, on his return to the United States published an article upon the subject. From his high standing as a lawyer, and from the fact that he was not a member of the denomination which wrought this great transformation in the population, his statement carries great weight. The following extract is taken from his article: "It is no small thing to say of the missionaries of the American Board that in less than forty years they have taught this whole people to read and to write, to cipher and to

[1] H. Report No. 93, 27th Cong. 3d Sess.

sew. They have given them an alphabet, grammar, and dictionary; preserved their language from extinction; given it a literature, and translated into it the Bible and works of devotion, science, entertainment, etc. They have established schools, reared up native teachers, and so pressed their work that now the proportion of inhabitants who can read and write is greater than in New England; and whereas they found these islanders a nation of half-naked savages, living in the surf and on the sand, eating raw fish, fighting among themselves, tyrannized over by feudal chiefs, and abandoned to sensuality, they now see them decently clothed, recognizing the laws of marriage, knowing something of accounts, going to school and public worship with more regularity than the people do at home; and the more elevated of them taking part in conducting the affairs of the constitutional monarchy under which they live, holding seats on the judicial bench and in the legislative chambers, and filling posts in the local magistracies."

The result of this work of the missionaries was seen in the new order of things in society and government. Regulations were decreed by which the outward exhibition of licentiousness and intemperance was sought to be restrained, crime and disorder punished, and the civil rights of the people enforced by judicial process. The government, which had before been a despotic autocracy, assumed a constitutional form, and the king was aided by an organized body of advisers, and later by a legislative assembly. This political reorganization was almost entirely the work of the missionaries. They were not

always free from mistakes in government, but they always studied the good of the people and the best interests of the king.[1]

Much diversity of sentiment has been expressed by writers upon the effects of the labors of the Christian missionaries in the Orient, but the better judgment of candid observers is in favor of their beneficial influence on the rulers and the people, even aside from the religious considerations involved. Their useful service in connection with the diplomatic intercourse of the Western nations with the Far East has been especially conspicuous. Notice has already been taken of the valuable participation of the Catholic missionaries, both as interpreters and advisers, in the negotiation of the first treaty between China and Russia in 1689. It has also been seen that in other missions to Peking during the eighteenth century the Christian fathers were an indispensable part of all of them.

When the British government was making arrangements to send the Macartney embassy to Peking in 1792, search was made for a competent person to act as interpreter, and the secretary to the embassy records that "in all the British dominions not one person could be procured properly qualified," and that after much inquiry two Christian Chinese students were found in the mission college at Naples, Italy, who were engaged for that service.

[1] Anderson's Hawaii, 99. For account of work of missionaries, see Anderson, Bingham's Sandwich Islands, Jarves's History, and History of the Sandwich Islands by S. Dibble (1843). A letter from the secretary of the American Board of Commissioners for Foreign Missions, dated May 7, 1902, estimates the total expenditures of the Board in the Hawaiian Islands at $1,595,335.

The well-known English missionary and Chinese interpreter, Dr. Robert Morrison, was the chief interpreter of the Amherst embassy in 1816, and he acted as the official interpreter and trusted adviser of the British government and the East India Company at Canton for twenty-five years. During the Opium War and in the peace negotiations, Dr. Gutzlaff, the German missionary and historian, was in the employ of the British government, as interpreter and adviser, and was most useful in the negotiations.[1] He was also of service to the government of the United States in a similar capacity, as will be noticed later.

When Mr. Roberts was sent by the American government to negotiate treaties with Siam and other oriental countries, he first went to Canton and there engaged the services as interpreter of Mr. J. R. Morrison, the son of Dr. Morrison. The valuable assistance of Dr. Peter Parker, a missionary of the American Board at Canton, has already been noticed in connection with Mr. Cushing's mission in 1844. In a later chapter his further service to the government will be mentioned. Dr. S. Wells Williams, another missionary of the American Board, it will be seen, was associated with Commodore Perry in the opening of Japan, and there will be frequent occasion to refer to him in connection with the diplomatic service of the United States in the East.

These instances are cited to show what an important part the missionaries have borne in the international

[1] Staunton's Embassy, 24; Davis's China during the War, etc., *passim;* Williams's Hist. China, 106, 184, 190, 204.

relations of the Pacific. The instances might be multiplied, and a detailed examination of these relations will disclose that up to the middle of the last century the Christian missionaries were an absolute necessity to diplomatic intercourse. Their influence upon the people and the governments of China and Japan will be discussed later. In Hawaii, after the conversion of the islands to Christianity, the missionaries were an ever-present factor in public affairs, and eventually their descendants became the leading advocates of annexation to the United States.

Before it had been determined by treaty what were the territorial rights of the United States in Oregon, and five years anterior to the acquisition of California, the President announced to the world by a message to Congress that the commercial and other interests of the United States in Hawaii were of such a predominating character that the government could not allow those islands to pass into the possession or come under the control of any other nation. Notwithstanding the trade relations of the United States were established almost immediately after the discovery of the islands, that fact did not deter other powers from repeated efforts to secure their possession. Their commanding situation in the Pacific was a constant temptation to the greed of colonizing nations.

The first attempt at securing possession was made by the British naval officer, Captain Vancouver, on his third visit in 1794, who proceeded, as he states, "under a conviction of the importance of those islands to Great Britain." Before taking his departure he caused a

council of the chiefs to be convened by the king, Kamehameha, and, upon the promise of the captain that the British government would take them under its protection and send them a war vessel, they "acknowledged themselves to be subjects of Great Britain." A copper plate was prepared with an inscription reciting the fact that the king and chiefs of the island of Hawaii "had ceded the island to his Britannic Majesty;" this tablet was placed in a conspicuous position, with much ceremony, the firing of salutes, and distribution of presents; and the squadron sailed away without further act of occupation. The report of Vancouver's action reached England during the troubles growing out of the French Revolution, and no further attention was given to the matter or steps taken to confirm the cession.

As early as 1809 the Russians had visited the islands, and a few years later had some trade relations with them. It is alleged that Baranoff, the able governor of Russian America, seeing the desirability of making the islands a part of the Russian possessions on the Pacific, set on foot an expedition for that purpose. In the year 1815 a vessel dispatched by him arrived at Kauai, and its commander, after some conference with the authorities, landed on the island, and proceeded to build a stone fort, over which the Russian flag was raised. Tikhmeneff, the Russian historian, states that an agreement was made with the king of Kauai for commercial privileges, by which he placed his island under the protection of the emperor of Russia; and that when the agreement reached the Czar he declined to ratify it. But however that may be, as soon as

Kamehameha heard of the occupation he ordered the Russians to leave the island, which they did under protest, and the fort was destroyed. This ended all attempts on the part of Russia to gain a foothold in the group.[1]

The first official connection which the government of the United States had with the islands was through John C. Jones, who was appointed September 19, 1820, as "agent of the United States for commerce and seamen." Under this appointment he discharged the usual duties of a consul, and sustained to the government and local authorities the relation of a political representative. He was the sole foreign official until 1825, when Richard Charlton arrived, as consul-general of Great Britain for the Hawaïian and Society Islands. Both of these officials remained at their posts for a number of years, but neither of them seems to have been happy in their relations with the authorities, and both were finally removed from office by their respective governments.[2]

In 1825 the government of the United States directed the commander of the Pacific squadron to have one of its vessels visit the Hawaiian Islands to inquire into the state of trade and concert with the government of the islands a better method of conducting relations. The task was intrusted to Captain Thomas ap Catesby Jones,

[1] 3 Vancouver's Voyage, 56; Greenhow's Oregon, 250; Hopkins's Hawaii, 123; 4 Foreign Relations of U. S. (folio ed.) 855; Jarves's Hist. Sandwich Islands, 201; Hawaiian Hist. Soc., Paper No. 6.

[2] A. H. Allen's Report, Foreign Relations, U. S. 1894, Appendix ii. p. 8; Jarves's Hist. 251, 268; Hopkins's Hawaii, 274; 2 A Journey round the World, Sir George Simpson, London, 1847, p. 95.

commanding the Peacock, and the mission was discharged with much credit to him and profit to the two governments. He negotiated and signed, December 23, 1826, the first formal treaty ever entered into by the island government with any foreign power. It contained the usual stipulations of a commercial treaty of the period, and it is especially noticeable that it recognized the right and duty of the courts of the country to exercise jurisdiction over the persons and property of the American residents. It was a high testimonial to the progress which had been made by the Hawaiians in civilization that the American authorities were willing to allow the native judges, who had so recently emerged from barbarism, to pass upon the rights of their citizens resident there. When the American government negotiated a treaty with China twenty years later, and with Japan thirty years later, it reserved to its own consuls jurisdiction over their countrymen. The treaty with the Hawaiian king was not submitted to the Senate and ratified in the usual form, but it continued to be observed by both parties to it until superseded by the treaty of 1849.[1]

Captain Jones found other duties to perform during this visit. Notwithstanding the good effects of the work of the missionaries on the natives and the rulers, they had incurred the bitter opposition of many of the foreign element. The character of the latter was not in all respects commendable. It was made up in considerable numbers of deserters from vessels touching at

[1] Foreign Relations, 1894, App. ii. 8, 35. As to exterritoriality in Hawaii, 7 Opinions of Attorneys-General, 29.

the ports, of escaped convicts from Botany Bay, and of sailors of all nationalities. While there were honorable and upright merchants, many of the traders were more concerned about making fortunes than conserving the morals of the people. When the government was reorganized under the direction of the missionaries, it made the Mosaic commandments the basis of legislation, and strict laws were passed for the observance of the Sabbath, and for the punishment of licentiousness and intemperance. This strictness interfered not only with the depraved habits of the vicious, but with the profits of many traders. The port of Honolulu was divided into two parties — missionary and anti-missionary — and charges and counter-charges had been made. The anti-missionary party, headed by the British consul-general, proposed to submit the charges to the arbitration of Captain Jones, and the proposition was accepted by the missionaries. The result was a complete vindication of the latter. Captain Jones concludes a report of this trial or investigation in these words: "Not one jot or tittle, not one iota derogatory to their character as men, as ministers of the gospel of the strictest order, or as missionaries, could be made to appear by the united efforts of all who conspired against them." [1]

Commanders of naval vessels of the United States were often called upon in the early part of the last century, in the far-off ports of semi-civilized and barbarous countries, to act as peacemakers in the settlement of differences between their countrymen and the natives,

[1] Jarves's Hist. 266; Bingham's Sandwich Islands, 301.

and in almost all cases their action was on the side of justice and morality. When the exception occurred it was the more noticeable. The controversy which was arbitrated by Captain Jones grew, in part, out of the visit of another naval vessel of the United States, the Dolphin, which anchored in Honolulu on the January previous to the arrival of Captain Jones. Its crew soon created trouble because of the regulations against prostitution. The Hawaiians, before their conversion to Christianity, possessed very loose ideas as to chastity, and upon the arrival of foreign vessels it had been the custom of the native females to go on board in large numbers. When the new order of government was brought about, under the influence of the missionaries, strict rules were enforced putting a stop to this immoral practice. It had met with the bitter opposition of the crews of foreign vessels, but up to the arrival of the Dolphin the new regulations were being successfully enforced. When its crew set itself in opposition to the law, the commander of the Dolphin took up the controversy for his men, and denounced the law as unnecessary, and one which they need not observe. The result was that for a time the law was not enforced, and this action of an armed vessel of the American navy had an evil effect temporarily on the influence of the missionaries.

The arrival a few months after this disgraceful occurrence of an honorable and virtuous representative of the United States navy and his vindication of the missionaries did much to undo the bad example of the crew of the Dolphin. Upon the return of this vessel to the United States a court of inquiry was ordered, and

its conclusion was that a court-martial for the trial of the commanding officer was not necessary. An examination of the record of the court shows that its action was based upon purely technical grounds, and that the officer's conduct was in the highest degree reprehensible.[1]

Three years after the events just related the coming of another war vessel of the United States had a very salutary effect. In 1829 the United States naval vessel Vincennes, Captain Finch, arrived, bearing a letter from the Secretary of the Navy, communicating the views and good wishes of the President. The delivery of the letter and the presents accompanying it was made an occasion of much ceremony and congratulation. The letter was read in translation to King Kamehameha III., in the presence of the chiefs and leading people, the spirit of which may be seen from the following extract: "He [the President] has heard with interest and admiration of the rapid progress which has been made by your people in acquiring a knowledge of letters and the true religion — the religion of the Christian's Bible. These are the best, and the only means, by which the prosperity and happiness of nations can be advanced and continued, and the President, and all men everywhere who wish well to yourselves and your people, earnestly hope that you will continue to cultivate them, and to protect and encourage those by whom they are brought to you."

It had been a much disputed question in the islands

[1] Hopkins, 210; Jarves, 263; Bingham, 283; Report of Court of Inquiry, Naval Archives.

whether foreigners were bound by the local laws, and it was a great gratification to the king and his supporters to have the President say, "Our citizens who violate your laws, or interfere with your regulations, violate at the same time their duty to their own government and country, and merit censure and punishment;" and to listen to his appeal that the citizens of the United States resident in the islands should receive the protection of the government and have their interests promoted by it. The king in his letter of reply said: "Best affection to you, the Chief Magistrate of America. . . . I know the excellence of your communicating to me that which is right and true. I approve with admiration the justness and faultlessness of your word. . . . Look on us with charity; we have formerly been extremely dark-minded, and ignorant of the usages of enlightened countries. You are the source of intelligence and light. This is the origin of our minds being a little enlightened — the arrival here of the Word of God. This is the foundation of a little mental improvement which we have recently made, and that we come to know a little of what is right, and the customs of civilized nations. On this account we do greatly rejoice at the present time." The ceremony of the delivery of the letter and presents was followed by a round of civilities, in which the officers of the Vincennes were entertained at the houses of the leading natives, and the American visitors were greatly impressed with the sincerity of their Christian profession and their advance in civilized life and deportment.[1]

[1] For. Rel. U. S. 1894, App. ii. 8, 39; Bingham, 353; Jarves, 287, 379.

The third demonstration of a foreign power against the sovereignty of Hawaii was on the part of France in 1839. For several years previous the islands had been greatly disturbed by the efforts of the Roman Catholic clergy to gain a foothold and disseminate their tenets. The king from the beginning had resisted the movement, claiming that the ceremonies of that religion were so similar to the idolatry which the people had recently abandoned that it was not wise to allow it; besides, he held that it would bring a disturbing element into the population which should be avoided. The Protestant missionaries were charged with having influenced the action of the king, but this they denied, and while they said they believed in religious toleration, they pointed to the fact that at that time freedom of worship was not allowed in most of the Catholic countries of Europe. The British consul, jealous of the influence of the American missionaries, warmly supported the Catholic movement, one of the priests, an Irishman, being a British subject. The Jesuit fathers who were seeking the right of residence, appealed to France as their protector, and the islands were visited at different times by French war vessels, with a view to adjusting the question with the government, but the latter remained firm in its resolution. Various priests were expelled, and the native adherents were arrested and imprisoned.

On July 10, 1839, the French sixty-gun frigate L'Artemise arrived in Honolulu, and the commander immediately sent to the Hawaiian government a written demand in the name of "His Majesty the King of the

French," in which he required that it should be stipulated that the Catholic worship be declared free, that a site for a Catholic church be given by the government, and that it deposit with the commander $20,000 as a guarantee for the execution of the stipulation. To these conditions he added later that the law which had been enacted to keep out liquors be so modified as to allow of the introduction of French liquors at a duty of five per cent., which was a virtual abolition of all temperance laws. The demand of the Artemise included a notice that if the government did not sign a treaty covering these stipulations, "war will immediately commence, and all the devastation, all the calamities which may be the unhappy but necessary results."

Notice was also served upon the British and American consuls that unless the demands were complied with by the 13th, he would open fire upon the town, and offering refuge and protection on his vessel to their countrymen. But to the latter consul he added that the American Protestant clergy would be treated as a part of the native population when hostilities should begin. The king was absent at one of the distant islands, and the French commander, refusing to await his return, forced the prime minister and the governor of Oahu to sign the treaty. To make the humiliation of the Hawaiians more complete, the commander brought his crew on shore in military array with fixed bayonets, and caused a mass to be celebrated in one of the king's summer houses. However much the king and his advisers may have been in error, the conduct of the French government was entirely unjustifiable and would only

have been resorted to against a weak and defenseless state.[1]

A short time before the Artemise affair, the British war vessel Acteon, Lord Russell commanding, had "negotiated a treaty" under the guns of his ship. These and other events made it apparent to the advisers of the king that, unless the independence of the islands could be secured by the recognition of some of the leading maritime nations, they would continue to be subjected to such humiliation and that their independent existence might be terminated. Sir George Simpson, the governor of the Hudson's Bay Company, a man of large experience in dealing with native races, being in the islands, joined in advising that a formal appeal to this end be made to the United States, Great Britain, and France. Accordingly Sir George Simpson, Mr. Richards, the missionary adviser of the king, and Haalilio, a native chief, were appointed a commission to visit the countries named, and ask for national recognition. Sir George Simpson went direct to England, and the two last named first visited the United States, intending to join Simpson in London.[2] On their arrival in Washington in December, 1842, they addressed a note to Mr. Webster, setting forth the reasons why the independence of the islands should be formally acknowledged. They referred to the agreement entered into with the United States through Captain Jones in 1826, which, though never ratified by the United States, had

[1] For. Rel. 1894, App. ii. 9, 36 ; Jarves, 320 ; Hopkins, 245 ; Bingham, 536.

[2] Sir G. Simpson's Journey, 171 ; Bingham, 586.

been faithfully observed by Hawaii; they described in some detail the extent of the American trade; and announced their readiness to enter into treaty negotiations, for which they possessed full powers.

Mr. Webster promptly replied to their note, making just acknowledgment for the protection extended to the trade of the United States and the hospitality to its citizens; and proceeded to state the views of the President, in terms highly gratifying to the commission. This was followed the same month by a special message of the President to Congress, carefully drafted by Secretary Webster.

Its importance to the islands and the future interests of the United States justifies the following extract: —

"Just emerging from a state of barbarism, the government of the Sandwich Islands is as yet feeble; but its dispositions appear to be just and pacific, and it seems anxious to improve the condition of its people, by the introduction of knowledge, of religious and moral institutions, means of education, and the arts of civilized life.

"It cannot but be in conformity with the interest and wishes of the government and the people of the United States, that this community, thus existing in the midst of a vast expanse of ocean, should be respected, and all its rights strictly and conscientiously regarded. And this must also be the true interest of all other commercial states. Far remote from the dominions of European powers, its growth and prosperity as an independent state may yet be in a high degree useful to all whose trade is extended to those regions; while its

nearer approach to this continent, and the intercourse which American vessels have with it, — such vessels constituting five sixths of all which annually visit it, — could not but create dissatisfaction on the part of the United States at any attempt, by another power, should such attempt be threatened or feared, to take possession of the islands and colonize them, and subvert the native government. Considering, therefore, that the United States possesses so very large a share of the intercourse with those islands, it is indeed not unfit to make the declaration that their government seeks nevertheless no peculiar advantages, no exclusive control over the Hawaiian government, but is content with its independent existence, and anxiously wishes for its security and prosperity. Its forbearance in this respect, under the circumstances of the very large intercourse of its citizens with the islands, would justify this government, should events hereafter arise to require it, in making a decided remonstrance against the adoption of an opposite policy by any other power."[1]

This positive declaration of the interest and purpose of the government of the United States had the desired effect in Europe. Mr. Richards and Haalilio met Sir George Simpson in London, and without much difficulty brought the British government to an agreement to recognize the independence of Hawaii. More difficulty was encountered at Paris, but after due explanations as to the policy of the island government respecting the Catholic religion, the French government consented to

[1] H. Ex. Doc. No. 35, 27th Cong. 3d Sess.; also For. Rel. 1894, App. ii. 39.

the recognition. England and France united in a declaration that they "engage, reciprocally, to consider the Sandwich Islands as an independent state, and never to take possession, either directly or under the title of protectorate, or under any other form, of any part of the territory of which they are composed." The government of the United States was invited to join in this declaration but declined under its general policy of avoiding complications with European powers.[1]

While these negotiations were having such a satisfactory conclusion, the fourth attempt at the overthrow of the island government was being made at Honolulu. The British consul, Mr. Charlton, who had been in controversy over certain claims which he was urging upon the government, left Honolulu without notice and laid his grievances before the commander of the nearest British vessel. Her Majesty's ship Carysfort, Lord George Paulet commanding, made her appearance in the harbor of Honolulu in February, 1843. Finding the king absent, Lord Paulet informed the governor of Oahu that he had come to ask reparation for certain insults offered to her Majesty's representatives and for injuries to her subjects, and requested that the king be immediately notified to return. On his arrival an unsatisfactory correspondence ensued, which ended in a written demand being made upon the king for his immediate compliance with a series of stipulations, unjust in their nature and entirely subversive of his authority.

In view of the threatening attitude of the British commander and of the inability of the king to accede

[1] Bingham, 606; For. Rel. 1894, App. ii. 64, 105.

to the stipulations, the latter, upon advice of his council, determined to cede temporarily the possession of the islands to the British commander, and appeal to the queen of Great Britain for the restoration of his rights. Thereupon Lord Paulet accepted the cession, took charge of the government under a commission nominated by himself, pulled down the Hawaiian flag and raised the British standard in its place over the forts and public buildings, and organized a native regiment, called the "Queen's Own," officered by British subjects and paid out of the Hawaiian treasury, but required to take an oath of allegiance to the queen.

The king sent letters to the queen of Great Britain and the President of the United States, appealing to them to restore him to his throne, and issued the following pathetic proclamation: "Where are you, chiefs, people, and commons from my ancestor, and people from foreign lands? Hear ye! I make known to you that I am in perplexity by reason of difficulties into which I have been brought without cause; therefore I have given away the life of our land, hear ye! But my rule over you, my people, and your privileges will continue, for I have hope that the life of the land will be restored when my conduct shall be justified."

The British occupation took place February 25, 1843, and early in July, Commodore Kearny, in command of the United States ship Constellation, anchored at Honolulu, en route to the United States from Canton, China, where he had rendered valuable service to his country. As soon as he had informed himself of the situation, he sent a vigorous protest to the authorities

against the cession, and every act and measure connected with it, and held them responsible for all injuries that might result therefrom to American citizens or their interests. Meanwhile the commander of the British naval forces in the Pacific, Admiral Thomas, having received intelligence of Paulet's action, reached the islands on July 26, and immediately upon becoming possessed of the facts, disavowed the act, and proceeded to make restoration. In order that the disavowal should be as public as possible, he arranged for a large military display, took the king with him in a carriage to the public square, and in the presence of the people restored him to power, supplanted the British with the Hawaiian flag, and caused it to be saluted by all the forts and vessels in the harbor.

For this act of justice so cordially rendered, Admiral Thomas has been held in high esteem by the Hawaiian people. As soon as the intelligence reached the British government, the act of annexation was publicly disavowed, and the British minister in Washington made the fact known to the Secretary of State in the most emphatic terms. On the return of the Hawaiian commissioners from Europe to the United States, on their way to the islands, they found that Congress had authorized the appointment of a diplomatic agent, that he had already repaired to his post, and had been received by Kamehameha III. Thus did it seem as if the Hawaiian government was at last established upon a stable basis, with the recognition and support of the great maritime powers of the world.[1]

[1] For. Rel. 1894, App. ii. 9, 45–60 ; Bingham, 592 ; Hopkins, chaps. xviii. and xix.

But there were trials yet in store for the young and feeble member of the family of nations. The treaty which the French naval commander had forced upon the king in 1839, at the cannon's mouth, contained two objectionable clauses — the first, that no Frenchman should be tried on a criminal charge except by a jury of foreigners proposed by the French consul; and the second, that all French goods should be admitted at a duty of not more than 5 per cent. The British government having made demand in 1844 for like terms, the Hawaiian king was forced to grant them. It was most unfortunate that these two treaties, obtained by constraint, should be made the occasion of a serious disagreement with the diplomatic representative of the United States, whose coming had been hailed with so much satisfaction. A case of rape on the part of an American citizen arose, and Mr. Brown, the United States commissioner (diplomatic representative), intervened, and, under the terms of the treaty with France and Great Britain, claimed the right to demand a trial by a foreign jury, but the Hawaiian authorities proceeded without granting his demand. They were clearly in the wrong, and although justifying themselves on technical grounds, their action was undoubtedly provoked by Mr. Brown's domineering and insulting conduct. He was sustained by the Secretary of State, but at the request of the Hawaiian government he was recalled and a new commissioner appointed.[1]

This incident directed attention to the unsatisfactory state of the treaty relations with foreign powers. While both England and France had recognized the

[1] For. Rel. 1894, App. ii. 11, 38, 65, 66.

independence of the government, their treaties placed it in a dependent or restrained position relative to judicial procedure, the tariff, and the temperance laws. No treaty had been made with the United States since the unratified agreement of 1826, which was still recognized as binding by the island government, but it was very imperfect in its provisions. The Secretary of State, therefore, addressed himself to the task of making a treaty which would in all respects place Hawaii on an equal footing with all other Christian powers. Authority was conferred upon the new commissioner of the United States, Mr. Ten Eyck, to negotiate, and a lengthy correspondence ensued with the Hawaiian foreign office, but as the American plenipotentiary insisted upon clauses similar to the objectionable ones in the British and French treaties, no agreement was reached. Meanwhile Mr. Ten Eyck, having become unacceptable to both his own government and that of Hawaii, was recalled, and the negotiations transferred to Washington, where a treaty was signed December 20, 1849, between Secretary Clayton and John J. Jarves, special commissioner of Hawaii. This treaty was free from the objectionable clauses referred to, and was similar in its provisions to those negotiated by the United States with other Christian nations. It remained in force during all the subsequent existence of the Hawaiian government, and its terms were ultimately accepted by Great Britain and France. Thus for a second time was the United States successful in its support of the claims of this new nation to complete autonomy.[1]

[1] For. Rel. 1894, App. ii. 12, 13, 69, 79.

While the negotiations were progressing at Washington, fresh troubles with France had arisen at the islands. A new consul had arrived in 1848, and he soon became involved in quarrels with the native officials. Having communicated his grievances to his home government, on August 12, 1849, two French men-of-war arrived at Honolulu, under command of Admiral De Tromelin, to support the demands of the consul. On the 22d the admiral sent to the king a peremptory demand embracing ten demands, the most important of which was that the duties on French brandy, which it was alleged were prohibitory, should be reduced one half, and that the French language should be used in official intercourse; the others being of a petty character. The demand was accompanied by a notice that a reply was expected within three days, and if it was not satisfactory, the admiral would "employ the force at his disposal to obtain a complete reparation."

The answer did not prove satisfactory, and on the 25th of August an armed force was landed from the war vessels, with field-pieces, scaling-ladders, etc. Possession was taken of the forts and government building, and of all Hawaiian vessels. The forts were dismantled, the guns spiked, the ammunition thrown into the sea, and the king's yacht confiscated. These "reprisals" having been taken, the troops were withdrawn on the 28th, the consul and his family went on board, and the French squadron sailed away.

This outrage led to the dispatch of a special commissioner to France, Dr. Judd, accompanied by two native

princes, the heir apparent and his brother. The commission spent ten weeks in Paris seeking to negotiate a treaty, but without success. In London the basis of a new and equitable treaty was agreed upon with Great Britain, similar to the one signed with the United States. Returning by way of Washington, they solicited the United States to join with England and France in a tripartite convention respecting Hawaii, which was again declined; but the government agreed to use its good offices with France for a settlement of existing difficulties. Its attempts in that direction led to animated conferences between the American minister in Paris and the minister for foreign affairs, in which the French government was given to understand that the United States, owing to its paramount interest in those islands, would allow no forcible occupation of them by any foreign power.

The French government, being still apparently bent upon forcing its demands, sent out a special commissioner, Mr. Perrin, who arrived at Honolulu in a war vessel in December, 1850. He presented anew the former demand with its ten articles, and entered upon a voluminous and irritating correspondence which continued through three months. The king, perplexed by these persistent demands and threats of violence, with the advice of his privy council, signed a proclamation in due form, in which he declared that, "despairing of equity and justice from France, we hereby proclaim as our royal will and pleasure that all our islands, and all our rights as sovereign over them, are from the date hereof placed under the protection and safeguard of

the United States of America," until a satisfactory adjustment could be made with France, "or, if such arrangements be found impracticable, then it is our wish and pleasure that the protection aforesaid under the United States of America be perpetual." This proclamation was signed March 10, 1851, and was delivered sealed to the American commissioner, on condition that if hostilities were begun by the French it was to be opened and carried into effect; but otherwise to be held to be void.

This provisional cession and the troubles which brought it about were reported to the Department of State by the commissioner, Mr. Severance, and Secretary Webster informed him, in reply, that while it was the purpose of the United States to observe scrupulously the independence of the Hawaiian Islands, it could never consent to see them taken possession of by either of the great commercial powers of Europe, nor could it consent that demands, manifestly unjust and derogatory and inconsistent with a *bona fide* independence, should be enforced against that government. Respecting the cession of the sovereignty to the United States, he reminded the commissioner that it was a subject above any functions with which he was charged, that he should forbear to express an opinion upon it, as the government at Washington alone could decide it, and that he must return to the Hawaiian government the document placed in his hands.

The French controversy happily did not reach the acute form of hostilities, and was finally adjusted by an agreement assuring the Catholic clergy of full liberty

of worship and the regulation of their schools (one of the points embraced in the ten demands), and securing the desired reduction in the duty on French spirits. It is due also to France to state that after the treaty of 1846 had been signed, the $20,000 which had been exacted as a guaranty in 1839 were returned, and delivered at Honolulu in the original cases and with the seals unbroken.[1]

The appearance of the French man-of-war in 1850, with the belligerent consul, was the last attempt of foreign aggression threatening the sovereignty of the islands. Twice had the British raised their flag, once the Russian, and twice the French, but the little kingdom had outlived the designs of these powerful states. It seemed now left, with the good-will of all the nations, to work out its own career. It provided itself with a new constitution in 1852, in which greater representation and power were given to the people. Religious liberty was guaranteed. Society and the industries were feeling more and more the influence of commerce and contact with the outside world. The government had the trials incident to all countries and some peculiarly of native origin. We shall see in a subsequent chapter how those elements worked together for its ultimate destiny.

[1] For. Rel. 1894, App. ii. 13, 70–78, 86–104 ; Alexander's Hist. 261, 264, 270.

V

THE OPENING OF JAPAN

The march of events in the first half of the nineteenth century made it clear that Japan could not long continue the policy of seclusion which it had successfully maintained for two centuries. That policy had, however, served a useful purpose both for Japan and China. We have seen that it had been adopted because of the arrogant and aggressive conduct of the European nations in their early intercourse. Following the maritime discoveries of the fifteenth century, the commercial nations had shown an utter disregard of the proprietary rights of the people of the East. Great Britain, France, Spain, Portugal, Holland, and Russia had at their pleasure appropriated large areas of territory both on the continent of Asia and the islands of the Pacific.

The remoteness of China and Japan from Europe made them the last prey of the spoilers. The observant traveler and savant Humboldt, in visiting the Isthmus of Panama a hundred years ago, impressed with its geographic influence, wrote: "This neck of land, the barrier against the waves of the Atlantic Ocean, has been for many ages the bulwark of the independence of China and Japan."[1] But in addition

[1] Humboldt's Political Essays on the Kingdom of New Spain, book i. chap. ii.

to their distance from Europe, the early resolution of these nations to exclude all foreigners from a lodgment on their territory and from all but the least possible intercourse, operated favorably for the preservation of their autonomy. During the seventeenth and eighteenth centuries the principles of international law were undergoing a formative process, and little respect was paid to the rights of nations which could not be enforced by the sword. In the nineteenth century a higher regard was beginning to be shown towards weaker nations, and these two empires could then with greater safety to their independence permit foreign intercourse.

The opening of Japan was a natural sequence of the partial unlocking of the doors of China by British arms. England, France, and Russia were the European nations most interested in bringing about that result. But the development of commerce in the Pacific, as the middle of the century approached, pointed unmistakably to the young republic of North America as the power destined to bring about that important event. The English historian Creasy, in tracing the rapid growth of the United States and its recent great development on the Pacific coast, writing in 1851, predicted the forcible opening of Japan by this government, and, misinterpreting its spirit, which he characterized as "bold, intrusive, and unscrupulous," he added: "America will scarcely imitate the forbearance shown by England at the end of our late war with the Celestial Empire." He looked forward to changes of great magnitude in the Orient to be brought about

through the influence of the United States, and recalled the words of De Tocqueville that the growing power of this commonwealth was a new factor in the world, the significance of which even the imagination could not grasp.

About the same time another diviner was forecasting the horoscope of the young nation. William H. Seward, then a senator in the Congress of the United States, was urging upon that body the imperative necessity, in the interest of American commerce, of more accurate surveys of the North Pacific Ocean. In a speech which was notable for its wide research, its eloquence, and its breadth of statesmanship, he referred to the great future which he saw was to be realized in the commercial intercourse of the United States through its newly acquired possessions on the Pacific slope, the Hawaiian Islands, and the certain opening of Japan and China. He stated that the relations with Europe, which were then so extensive and constantly increasing, would in time diminish and lose their importance, and that the great development of the republic was to be on the other side of the continent; and he thereupon uttered this famous prediction: "The Pacific Ocean, its shores, its islands, and the vast regions beyond, will become the chief theatre of events in the world's great Hereafter." Commerce, under the benign influence of peace, was to bring about this great transformation, when "the better passions of mankind will soon have their development in the new theatre of human activity."[1]

[1] The Fifteen Decisive Battles of the World, by E. S. Creasy, New

During the first half of the century the governments of Great Britain, Russia, and France had made efforts, through the visits of their naval vessels, to communicate with the central government of Japan, and to secure some relaxation of its strict policy of seclusion, but all these attempts had proved futile. As the ultimate success was due to the efforts of the United States, it will be well to refer to them in some detail.

The first American vessel to visit Japan was the Eliza, Captain Stewart, in 1797. Holland being at that time at war with Great Britain, the Eliza was chartered by the Dutch East India Company to make the annual visit allowed by the Japanese regulations to the factory on the island of Deshima, in the harbor of Nagasaki. Her arrival was a matter of great perplexity to the Japanese — a vessel in the employ of the Dutch, carrying an unknown flag, with a crew speaking English, but belonging to a new country which had another king or ruler than the English. After lengthy explanations and considerable delay she was admitted to the harbor and her cargo discharged. During the continuance of the war other American vessels visited Nagasaki under similar charters. A few years later Captain Stewart appeared at Nagasaki, with a cargo on his own account, and sought to open trade, but his request was refused and he was sent away.[1]

No further serious attempt was made by Americans

York, 1851, p. 255; 24 Congressional Globe, part 2, p. 1973, 32d Cong. 1st Sess.

[1] 11 Chinese Repository, 161; Nitobe's Intercourse between the United States and Japan, 31.

at intercourse with the Japanese till 1837, when an expedition was organized at Macao, China, having a threefold aspect — humanity, religion, and commerce. The strong currents about the coasts of Japan and adverse winds not infrequently carried the natives in their small vessels out upon the ocean and sometimes as far as the American continent. This fact gives color to the claim sometimes advanced that the civilization of the Mexican Indians had its origin in Japan. A party of seven shipwrecked Japanese had been picked up on the coast of British Columbia, and sent by the Hudson's Bay Company across the American continent and the Atlantic Ocean to London, and by the British East India Company brought to Macao, to be forwarded, if opportunity offered, to their native land. One of the leading American mercantile firms engaged in the Canton trade, Olyphant & Co.,[1] conceived the idea that the event might be taken advantage of to induce the Japanese government to relax its rules as to foreign intercourse, and they fitted out the Morrison, a vessel named after the first English missionary to China, to carry back the shipwrecked Japanese. In the party were the German missionary, Chinese scholar, and historian, Dr. Gutzlaff,

[1] To Mr. D. W. C. Olyphant, of New York, the founder of this house, which for many years occupied a prominent and honorable part in the China trade, American missions to that country owed their origin. Upon his invitation the first Protestant missionary, Robert Morrison, of England, was brought to China. His firm furnished the Canton mission a house, rent free for many years, gave more than fifty free passages to missionaries from the United States, and in other ways contributed largely to their work. The Chinese Repository was mainly indebted to this firm for its support. In all respects its members reflected honor upon their country.

the American medical missionary, Dr. Peter Parker, and Rev. S. Wells Williams, the last two being representatives of the American Board of Missions. With them also went Mr. King, a member of the firm, and his wife.

To divest the expedition of every appearance of a hostile character, the armament of cannon and small arms invariably carried by trading vessels of that period was removed. Quite an attractive collection of presents for the authorities was taken — a globe, a telescope, a barometer, a set of American coins, American books of science, history, etc., and a painting of Washington. Memorials or papers were prepared in the Chinese language, setting forth as the object of the expedition the return of the shipwrecked Japanese and the delivery of the presents. They announced that they had on board a physician, with medicines and instruments, prepared to cure the sick gratuitously, and they also asked the privilege of staying long enough to explain the meaning of the books which they brought. Their memorials further gave some account of the history and resources of the United States and stated that its policy was to establish peaceful commerce and that it was opposed to colonies. The narrative adds that the vessel also contained a small stock of goods, in order to be prepared "to take advantage of any opening" that might offer.

In place of proceeding to Nagasaki, which was well known to be the only port at which foreign intercourse was allowed, the vessel sailed direct to the Bay of Yedo, on which the capital was located. On entering the bay she was immediately surrounded by a large number of

armed boats, and hardly had she dropped anchor, before a fire was opened upon her from the cannon of the forts. To save themselves and the vessel from destruction, the only course seemed to be a speedy departure. Accordingly they weighed anchor and put to sea, pursued by boats, from which small cannon were fired. Several attempts to land along the coast were repulsed, and the course of the vessel was directed to the port of Kagoshima, the seat of government of the powerful prince of Satsuma. Here a hostile reception similar to that in the Bay of Yedo was extended to them, and nothing remained for them to do but to return to Macao, which they did without having even set foot on shore.[1]

The second attempt of an American vessel to hold intercourse was only a little less successful. The Manhattan, of Sag Harbor, Captain Cooper, in 1845, while sailing through Japanese seas, found on a small barren island eleven shipwrecked Japanese, and soon afterwards he rescued from a disabled junk eleven more. The captain decided to take them to the Bay of Yedo and deliver them to the authorities, his object being "to impress the government with the civilization of the United States and its friendly disposition towards the emperor and the Japanese people." He touched on the coast of the island of Niphon, and had messengers dispatched to the emperor to inform him of his coming and the object of his visit. On his arrival in the bay he was kindly received and allowed to anchor within a

[1] Narrative of a Voyage of the Ship Morrison, by S. Wells Williams, 1837; 6 Chinese Repository, 209, 353.

furlong of the city of Yedo. The ship was surrounded by three cordons of boats, one hundred feet apart, to the number of nearly one thousand, and officers were kept constantly on the ship, by whom the captain was told that none of the crew would be allowed to land, and that if any of them attempted it they would be killed.

The vessel was permitted to remain for four days, during which time the shipwrecked Japanese were put ashore, and the ship supplied with fresh provisions and water. The governor of Yedo told the captain that "the only reason he was allowed to remain in the waters of Japan was because the emperor felt assured that he could not be a bad-hearted foreigner by his having come so far out of his way to bring poor people to their native country, who were wholly strangers to him." When the captain suggested that he might find other shipwrecked mariners and would bring them back, the governor said, "Carry them to some Dutch port, but never come to Japan again;" and added that the emperor would prefer to have them abandoned than that strangers should visit his dominions.[1]

The government of the United States was on the alert to second the efforts of private American enterprise whenever opportunity should offer. When, in 1832, Mr. Roberts was dispatched to negotiate treaties with Siam and Muscat, he was furnished with letters of credence to the emperor of Japan also, and was instructed, if he found "the prospect favorable," to visit that empire and seek to establish official relations. But the situation at that time did not encourage the attempt.

[1] Honolulu Friend, February 2, 1846.

When he departed from Washington on his second visit to the Orient in 1835, to exchange the ratifications of his treaties with Muscat and Siam, he was furnished with a letter from President Jackson to the emperor of Japan in the Dutch and Latin languages, and he was instructed by the Secretary of State to proceed to Japan as soon as his duties were discharged in the two former countries and seek to open negotiations. His instructions stated that, "as the Dutch have their factory at Nagasaki and might feel themselves interested in thwarting your mission, it is recommended that, if permitted, you should enter some other port nearer to the seat of government."

Mr. Roberts carried with him for Japan a considerable collection of presents, among which were a repeating gold watch with a heavy gold chain eight feet long, a sabre, rifle, shot-gun and pair of pistols, an assortment of broadcloth, cut glass, a musical box, maps, a set of United States coins, prints of United States naval victories, and ten Merino sheep of the finest wool, two bucks and eight ewes. He was in addition authorized, in case of effecting a treaty, to promise presents to the value of $10,000. Owing to his untimely death at Macao in 1836, the negotiations contemplated were never attempted, and the squadron which bore him to the East returned to the United States without touching at any Japanese port.[1]

In this connection it may be mentioned that in 1849

[1] For instructions of 1832, S. Ex. Doc. 59, p. 63, 32d Cong. 1st Sess. For instructions of 1835, Book of Instructions, Special Missions, Dept. of State.

the American consul at Singapore, Mr. J. Balestier, was authorized to negotiate a commercial treaty with the sultan of Borneo. He sailed from Canton in April, 1850, in the United States naval vessel Plymouth, accompanied by Rev. Mr. Dean, an American missionary "well versed in the Chinese and Siamese languages," as secretary and interpreter. After touching at ports of Annam and Siam to execute commissions of his government, he succeeded without much difficulty in making a treaty with the sultan of Borneo authorizing commercial intercourse with that island.[1]

In 1845 Mr. Pratt, a member of Congress from New York, introduced a resolution in the House, recommending that immediate measures be taken for effecting commercial arrangements with Japan and Korea. The resolution was accompanied by a memorandum giving various reasons for its adoption, among which were the following, — that the failure of other nations is no reason why we should not make "a vigorous effort now," and that "the day and the hour have now arrived for turning the enterprise of our merchants and seamen into the harbors and markets of those long secluded countries."[2] The introduction of this resolution was followed within three months by an instruction to the commander of the naval squadron on the East India station. He was informed that Mr. Everett, our diplomatic representative in China, possessed letters of credence to Japan, and the commander was instructed "to ascertain if the ports of Japan are accessible;" that if

[1] S. Ex. Doc. 38, 32d Cong. 1st Sess.

[2] H Doc. 138, 28th Cong. 2d Sess.

Mr. Everett was inclined to make the attempt to gain access thereto, he was to hold his squadron at his disposition for that purpose; and should Mr. Everett decline, he himself might, if he saw fit, persevere in the design.

Under these instructions Mr. Everett transferred his letter of credence to Commodore Biddle, who sailed from Macao with two naval vessels, and anchored in the Bay of Yedo, July 20, 1846. He was at once surrounded by a cordon composed of a great multitude of boats, and was waited upon by a Japanese official to inquire the object of his coming. The commodore stated that it was to ascertain whether Japan had opened her ports and was disposed to make a treaty with the United States. He was asked to reduce this to writing, which was done, and the officer said that within a few days an answer would be received from the emperor, and that in the meanwhile none of the crew would be permitted to land. On the 27th an answer was delivered by the Japanese officer, in which it was stated that foreigners could only be received at Nagasaki, that no treaty with the United States would be made, and that the vessels must depart as quickly as possible and not come back any more to Japan. The commodore received a blow or a push from a Japanese soldier during the delivery of the letter, for which apology was made by the Japanese officials and an assurance given that the soldier should be punished, but the incident greatly injured the prestige of the Americans in the estimation of the Japanese people.

The squadron sailed away, and Mr. Everett reported

to the Secretary of State that the document which was handed to Commodore Biddle as the reply of the emperor had been prepared with an evidently studied and intentional disregard of the rules of courtesy that are usually observed in the written intercourse of nations; that it was addressed to no one, and was without signature or date; and that he considered it as an additional proof of the extreme reluctance of the Japanese to enter into commercial relations with foreigners. He further reported that Commodore Biddle did not seem to have opened the negotiations with discretion, and that he had placed the subject in a rather less favorable position than that in which it stood before.

Dr. Parker, in charge of the legation at Canton, transmitted to the Secretary of State in 1848 an account of the imprisonment and harsh treatment by the Japanese of the surviving members of the crew of the American whaler Lawrence, wrecked on the Japanese coast, and added that from previous instructions it was evident that the President was fully impressed with the expediency of negotiating a treaty with Japan to secure at least "humane treatment" to shipwrecked American sailors. This was followed the same year by information received at Canton through the Dutch consul that fifteen American sailors from another whaling vessel — the Lagoda — were held as prisoners by the Japanese. This led the commander of the American East India squadron to send a vessel to Japan to demand their surrender. Commander Glynn, with the Preble, went to Nagasaki in 1849, and, regardless of the rules which required foreign vessels to anchor down the bay, sailed

up into the inner harbor, and at once put himself in communication with the governor. After some equivocation and delay the imprisoned seamen were delivered up, and the Preble rejoined the squadron.[1]

The sailors both from the Lawrence and the Lagoda made detailed statements of their treatment while held as prisoners by the Japanese, which showed that they had suffered great indignity and cruelty. They alleged that they had been required to trample and spit upon the Christian cross; that they had been in some instances shut up in narrow cages, put in stocks, exposed to unnecessary hardships and severe weather, and that as a consequence some of their number had died. These accounts had much to do with the final resolution of the government of the United States to force a treaty upon Japan. And yet it is not certain that the Japanese government authorized any severe or cruel treatment. In order to carry out its policy of rigid exclusion of foreigners, it caused all who were found on its coasts to be arrested and held as prisoners. The orders were to send them to Nagasaki, from which port they were taken out of the country by Dutch vessels as soon as opportunity occurred. If indignity or cruelty was inflicted, it was caused rather by the zeal of subordinates than by order of the government.

About the year 1850 all the waters around Japan were swarming with American whalers in quest of their prey. Not less than eighty-six such vessels were counted by a Japanese observer that year as passing a single point. It was felt by them to be a great hardship that

[1] S. Ex. Doc. 59, cited, 64–69; Ib. 3–44, 69–73.

they could not resort to Japanese harbors in distress or for water and supplies. It was a still greater cause of complaint that the shipwrecked sailors were inhospitably and cruelly treated. Their complaints were being heard at Washington. Added to this, the commercial demands were becoming urgent. The discovery of gold in California and the sudden development of the Pacific coast possessions led to a projected steamship line to China from San Francisco. To this end ports of deposit for coal and other supplies in Japan were felt to be a necessity. Hence the growing conviction had crystallized into a resolution on the part of the government that extraordinary effort must be made to force the opening of one or more Japanese harbors and induce the empire to adopt a more liberal policy toward foreigners.

The subject had long attracted the attention of thoughtful people, and various suggestions had been made with that end in view. Among others, Commodore Glynn, who in the Preble had secured the release of the last crew of shipwrecked sailors, and had returned to Washington, held a conference with President Fillmore, and submitted to him written suggestions for such an expedition. The subject was one in which Mr. Webster, again Secretary of State, had taken a deep interest. Cabinet councils were held, and it was decided that a strong squadron should be sent to Japan, and that in a more formal and decided manner a demand should be made for hospitable treatment to American sailors in distress, and for some modification of the existing regulations as to intercourse and trade.

Commodore Aulick was selected for the important

and delicate task, and was for this purpose assigned to the East India station. His full powers to negotiate a treaty, his instructions signed by Mr. Webster, and the President's letter to the emperor of Japan, bear date of June 10, 1851, and he sailed the following month.[1] When he reached China en route he received a letter from the Secretary of the Navy ordering his recall. It had in the interval been determined to intrust the mission to Commodore Matthew Calbraith Perry, — an officer who had attained distinction in the navy, and who had shown qualities which it was thought peculiarly fitted him to carry to success this undertaking, of such moment to the United States and to mankind, and one in the accomplishment of which officers of the American and European navies had thus far failed. Perry came of sailor stock, his father having served in the Revolutionary navy, and his brother Oliver being the hero of the victory on Lake Erie in 1813. At the time of his appointment to the mission he was fifty-eight years of age.

He was given ample time to make his preparations, and great freedom in the selection of his subordinates. America and Europe were searched for publications which would be of service to the expedition. The charts used were obtained chiefly from Holland, for which the government paid $30,000. Van Siebold's "Archiv" was obtained at a cost of $503, and a great variety of books on Japan were collected. The

[1] S. Ex. Doc. 59, cited, 74–82. For President Fillmore's account, 3 American Historical Record, 148 ; for Aulick's appointment and recall, Ib. 294.

commodore made visits to New York, Boston, and New Bedford to confer with captains of whaling vessels familiar with Japanese waters and merchants interested in the commerce of the East. Prominent manufacturers were also visited to secure specimens of the latest improvements in the arts and industries. Scientists, interpreters, and such other persons as could promote the objects of the expedition were secured.

Frequent interviews were held by the commodore with the President, Secretary Webster, and the Secretary of the Navy. The written instructions were carefully prepared by Mr. Webster, but he died before the commodore sailed, and they bear the signature of *ad interim* Secretary Conrad. The objects of the expedition were stated to be, first, protection for our shipwrecked sailors; second, the opening of the ports for the entry of vessels to refit and obtain coal; and third, the entry of ports for trade. The letter of President Fillmore to the emperor of Japan was more elaborate than the one carried by Commodore Aulick, and is countersigned by Edward Everett, who had become Secretary of State.[1]

No secret was made of the expedition. The official instructions were published, and the preparations were openly conducted. Both in America and Europe they were the topic of newspaper comment and general discussion. The prevailing feeling was of good-will for the expedition, but grave doubts were often expressed as to its success. The good offices of the government of Holland were solicited by Secretary Webster, to pave

[1] S. Ex. Doc. 34, pp. 4–9, 33d Cong. 2d Sess.

the way, through the Dutch factory at Deshima, for a friendly reception by the Japanese court. The Dutch government acted favorably upon the request, and directed its East India authorities to send instructions to that end, but it appears that Commodore Perry reached Japan and concluded his mission before the instructions were received at Deshima. It is also known that upon the first public intimation of the expedition, the Dutch government prepared a draft of a treaty and forwarded it to Nagasaki, with a view to anticipate the work of Commodore Perry, but the Japanese government refused to consider it.

The preparations for the voyage, made with care and deliberation, were finally concluded, and the President, accompanied by members of his cabinet and a distinguished company, paid a visit to Annapolis to bid the commodore farewell. The day before he put to sea a dinner was given him in Washington by a large number of his friends and well-wishers, including the Secretary of State and other cabinet officers, senators, members of Congress, and prominent citizens, at which, in response to various queries, the commodore gave some indication of his plans and proposed operations. One of the members of the dinner party, writing many years after the event, said: "It was apparent that all present were well convinced that the Commodore fully comprehended the difficulties and the delicate character of the work before him." On November 24, 1852, he sailed from Norfolk and passed the capes on his long voyage to open the doors of the Land of the Rising Sun.[1]

[1] S. Ex. Doc. 34, cited, 20; U. S. Japan Expedition, by Commodore

At Canton he took on board Dr. S. Wells Williams as chief interpreter, received a considerable addition to his squadron from the East India station, and pressed on to Japan. Early on the morning of July 8, 1853, the bold promontory of Idsu rising loftily through the mist out of the sea indicated that the Bay of Yedo was near at hand. Everything was stir and bustle on shipboard. The commodore's report says that signals were given to the squadron, and instantly the decks were cleared for action, the guns placed in position and shotted, the ammunition arranged, the small arms made ready, sentinels and men at their posts, and, in short, all the preparations made, usual before meeting an enemy. As they entered the beautiful bay, the rising sun dispelled the mists, and revealed a charming panorama of busy shipping and lovely landscape, with the majestic snow-capped Fujiyama towering in the distance.

Moving steadily and quietly forward, with all sails furled, the squadron kept on its way, heedless of signals from junks and boats swarming the waters, passed the forts, and not until well within the bay did the vessels drop anchor off Uraga. It was the first time a steam vessel had ever been seen in Japanese waters. The Susquehanna, the flagship, was a new steam frigate of the most advanced type, both in model, machinery, and size, recently launched with much enthusiasm at the Philadelphia navy yard. As the vessels came quietly up the bay in the face of a strong head wind, with no sails set, and belching forth from their funnels volumes

M. C. Perry, published by Congress, vol. i. 65, 69; Matthew C. Perry, by W. E. Griffis, Boston, 1887, p. 306.

of black smoke, they spread consternation among the Japanese, who for the first time looked upon such a spectacle, to them an omen of frightful portent. Among the common people of that era there was sung a popular ballad, a legend of the "Black Ships" which were to bring destruction to their nation, a stanza of which runs as follows: —

> Through a black night of cloud and rain,
> The Black Ship plies her way —
> An alien thing of evil mien —
> Across the waters gray.
>
> And slowly floating onward go
> These Black Ships, wave-tossed to and fro.

Just as the vessels of the squadron came to anchor, at five o'clock in the evening, two signal guns were fired and a rocket shot up high in air from a neighboring fort. It was the signal to the inhabitants of the capital that the expected and feared strangers had arrived, of whose coming they had received an intimation through the Dutch at Deshima. A native writer chronicles the effect of this signal. "The popular commotion in Yedo at the news of a 'foreign invasion' was beyond description. The whole city was in an uproar. In all directions were seen mothers flying with children in their arms, and men with mothers on their backs. Rumors of an immediate action, exaggerated each time they were communicated from mouth to mouth, added horror to the horror-stricken. The tramp of war-horses, the clatter of armed warriors, the noise of carts, the parade of firemen, the incessant tolling of bells, the shrieks of women, the cries of children, dinning

all the streets of a city of more than a million souls, made confusion worse confounded."[1]

Immediately after the ships anchored they were surrounded by numerous boats, and many of their inmates attempted to get on board, but, in accordance with previous instructions, they were not allowed. One of the most conspicuous of the boats, in which was apparently a person of distinction, was permitted alongside the flagship. Its occupant proved to be the vice-governor of Uraga, who asked to see the commander of the squadron. He was told the commander would confer with no one except a functionary of the highest rank. This was in line with the course which Perry had marked out for himself, to wit, to demand as a right, not solicit as a favor, those acts of courtesy due from one civilized nation to another; to disregard the acts and threats of the authorities, if in the least respect in conflict with the dignity of the American flag; to practice a little of Japanese diplomacy by allowing no one on board the ships except officers having business, and they only on the flagship; and by personally conferring with no one except an official of the highest rank in the empire.

Hence the vice-governor was received by the commodore's aide. His mission was to inquire the object of the visit, and to say that business with foreigners could be transacted only at Nagasaki, and that the ships must go there. It was explained that the squadron had come on a friendly mission to Japan, with a letter from the President of the United States to the emperor; that the

[1] Perry's Expedition, 231, 232; Nitobe's Intercourse U. S. and Japan, 1, 46.

commander desired to have an interview with a dignitary of the highest rank to arrange for the delivery of the letter; that he expected it to be received where he then was; and that he would not go to Nagasaki, but would remain at Uraga because it was near the capital.

In the interview the vice-governor was told that the commander would suffer no indignity to be offered the squadron during its stay, and that if the guard boats which were collecting about the ships were not sent away, they would be dispersed by force. The vice-governor at once went to the gangway and gave an order, with the result that the guard boats disappeared, and nothing more was seen of them while the vessels remained. He soon took leave, saying that an officer of higher rank would come from the city the next day.

On the following morning the governor of Uraga came on board. Again the commodore declined to receive him in person, but designated two of his commanders to meet him. A long interview took place, in which the governor made the same declarations as to Nagasaki and the departure of the squadron as had been communicated the day before, and was met by the same answer, only in more decisive language. Finally he was told that if the Japanese government did not appoint a suitable person to receive the documents addressed to the emperor, the commodore himself would have to go on shore with a sufficient force to deliver them in person. He was also shown the President's letter and the commodore's credentials "encased in magnificent boxes which had been prepared at Washington, the exquisite workmanship and costliness of

which evidently surprised his excellency." He then said that he would return to the city, and that within four days an answer might be expected from the court of Yedo.

On the morning of that day a party from each ship was set to work to make a survey of the harbor. The governor inquired what these boats were doing, and, on being informed, replied that it was against the Japanese law to allow such examinations. The answer given him was that the American laws commanded such surveys and that the surveying parties were as much bound to obey the American laws as the governor was to obey the Japanese laws. No further objection was made, and the surveys continued from day to day.

The commodore reports that "the following day, the 10th, was Sunday, and no communication was had with the Japanese authorities." Religious services were held, according to the commodore's invariable custom, and all requests for admission to the ship were declined. On Monday a surveying party, convoyed by one of the steamers, moved farther up the bay, much nearer to Yedo. The commodore intimated that such a movement might hurry the answer from the court. This action brought the governor again on board to ask its object, and he was told that if the President's letter was not received during the present visit it would be necessary to return the next spring with a much larger fleet, and the surveying boat was seeking for a better anchorage nearer the city. The governor then went away, promising to return on the day fixed for the answer from the court.

On the 12th of July the governor came on board, and stated that it had been arranged that a high officer would be nominated to receive the President's letter, and a building was being erected on shore for the place of reception, but he added that no reply to the letter could be given at that place, but one would be transmitted to Nagasaki, through the Dutch or Chinese superintendents. As soon as this answer was made known to Perry, he wrote the following memorandum: —

"The commander-in-chief will not go to Nagasaki, and will receive no communication through the Dutch or Chinese.

"He has a letter from the President of the United States to deliver to the emperor of Japan or to his secretary of foreign affairs, and he will deliver the original to none other; if this friendly letter of the President to the emperor is not received and duly replied to, he shall consider his country insulted, and will not hold himself accountable for the consequences.

"He expects a reply of some sort in a few days, and he will receive such reply nowhere but in this neighborhood."

After being translated into Dutch the memorandum was handed to the governor, and he departed. In the afternoon he returned to the ship, and said that a very distinguished personage, properly accredited by the emperor, would be appointed to receive the commander on shore the day after the morrow. The day following he came to the flagship with the credentials of the plenipotentiary and a certificate from the court that he was

"of very high rank, equal to that of the lord admiral." It was arranged that the ceremony of reception of the President's letter should occur the following forenoon.

On the morning of July 14, the squadron took position in front of the place fixed for the meeting, within easy cannon range. The governor of Uraga, acting as master of ceremonies, and another Japanese official, escorted by a number of imperial boats, came off to the flagship to accompany the commodore and suite to the hall of reception. As the latter stepped into his barge a salute was fired from the squadron in his honor. This was the first time since his arrival that he had been seen by the Japanese. His escort consisted of all the officers who could be spared from the ships and of about three hundred sailors and marines, with two bands of music. About the landing place and the reception hall were stationed five thousand Japanese soldiers, infantry and cavalry. On landing the commodore was preceded by the Japanese master of ceremonies and one of the squadron captains, the sailors and marines, two stalwart sailors who bore the American flag and the broad pennant, followed by two boys tastefully dressed for the occasion bearing the boxes containing the President's letter and the credentials. Then came the commodore accompanied on either side by a tall, well-formed, heavily armed negro as a bodyguard. The official narrative says "all this, of course, was but for effect."

On entering the hall the two princes designated by the emperor to receive the documents arose and saluted the commodore with low bows, their names being

pronounced by the interpreters. The letters were then brought forward by the boys, the gold boxes opened by the two negroes, the letter and the credentials, engrossed on vellum, tastefully bound, with seals attached by gold chains, were taken out and held up before the princes, and then laid upon the lid of the scarlet lacquered box which the Japanese had prepared for their reception. The governor then kneeling replaced the documents in their cases and deposited them in the lacquered box. All this was done in silence, not a word being spoken.

The commodore then directed his interpreter to explain to the Japanese interpreter the character of the documents. After this was done, the governor upon his knees received from Prince Iwami a roll, with which he passed over to the commodore, and again falling upon his knees delivered it to him. It was a receipt signed by the Japanese princes, with a statement that no further business could be transacted at Uraga, but at Nagasaki, and that the fleet would be expected to depart. After a few minutes' silence, the commodore told the interpreter to inform the Japanese that in view of the importance of the business to be considered, he would leave in two or three days, but that he would return to the same place the following spring to receive the answer of the emperor. The governor asked if the commodore would return with all his vessels. "All of them," answered the commodore, "and probably more, as these are only a portion of the squadron." And thus closed the reception, which was of the most formal character possible, the Japanese

princes never having spoken a word, and the whole ceremony lasting less than half an hour.

The Americans went back to their ships, enlivened by national airs from the bands, feeling highly gratified at what had been accomplished. They had received different treatment from any foreigners who had visited Japan for two centuries. They had commanded respect and secured intercourse, upon the basis of equality. They held direct communication with the highest imperial authorities, without the interposition of the Dutch at Nagasaki. They disregarded or caused to be withdrawn local regulations, which were derogatory to the dignity of their nation. On the other hand, while exhibiting firmness as to their rights, they showed the utmost regard for the sovereignty and rights of the Japanese. The crews of the vessels were not permitted to go on shore. No native was insulted or maltreated; no woman was outraged; no property was taken; no police regulation was violated — practices quite common on the part of the crews of other foreign ships.

The afternoon following the reception the squadron moved ten miles farther up the bay toward Yedo, anchored, took soundings, and made surveys. On the same day the commodore addressed a letter to the emperor, informing him of his intended departure and his expected return in the spring. On the 17th, having been in the bay eight days, the ships passed down as they had entered, under steam with sails furled, and put to sea. A momentous subject had been submitted to the imperial government for decision, and the American commander withdrew his ships in order that there

should be no appearance of coercion during its discussion and determination.

As soon as the Americans had departed, the court of Yedo addressed itself to the problem before it. Copies of the President's letter to the emperor, which set forth the terms of the treaty desired, were sent to the daimios and principal dignitaries of the empire, and their opinions requested. At the same time warlike preparations were set on foot. Strong forts were erected about the bay to protect the city of Yedo. Bells from the monasteries and metal articles of luxury contributed by the wealthy families were cast into cannon. Three hundred thousand patriot soldiers flocked to the capital to save it from desecration by the hated foreigners. New fear was awakened by the appearance of a Russian admiral at Nagasaki within two months after Perry's departure, making demand for intercourse and treaty rights. The priests of the national religion were commanded to offer up prayers for the sweeping away of the barbarians.[1]

The commodore had gone to China to recruit and reinforce his squadron, and to look after American interests in that empire imperiled by the civil war known as the Taiping rebellion, which was threatening the overthrow of the reigning dynasty. Our minister to the country was very persistent in his request that the naval force should be retained in Chinese waters, but Perry was too much impressed with the importance of his mission to Japan to be diverted by the civil war in

[1] Perry's Expedition, chaps. xii.–xiv; Nitobe's Intercourse, etc., 49; 1 Japan, its History, Traditions, and Religions, by Sir E. J. Reed, London, 1880, p. 246.

China. Besides, he did not think it wise for the United States to become embroiled in that contest.

Other reasons made him feel that he should hasten his return to Japan. He had heard of the visit of the Russian admiral to Nagasaki, and he knew that the latter's fleet was lying in the river at Shanghai. A French squadron was also in Chinese waters, and the commander put to sea from Macao, where Perry then was, with his destination a mystery. The latter feared there was danger that the fruit, the seed of which he had sown at Yedo with so much care, might be gathered by others, and he determined to shorten his stay in China and take the risks of a winter passage to Japan.

Stopping on his way at the Lew Chew (Loo-Choo) Islands, he was overtaken by a letter from the governor of the Dutch East Indies, notifying him that the emperor of Japan had died since his departure, and conveying the request of the imperial government that he would delay his return beyond the time fixed by him, as no business could be transacted until the period of court mourning was over. The commodore expressed his regret at the sad intelligence, but said that he felt sure the present rulers of Japan had become so well satisfied of the friendly intentions of the President that they would not be disposed to delay an understanding between the two nations. And he continued on his journey.[1]

The fleet, now more than double its size on the first visit, and when fully assembled numbering ten vessels, entered the Bay of Yedo February 12, 1854, some time

[1] Perry's Expedition, 302, 321.

in advance of the date fixed for its return. It was an impressive sight as it moved up the bay. No such martial array had ever been seen in Japanese waters. It was an unmistakable evidence of the earnestness of the United States. The city of Uraga was passed, no heed being paid to the government junks from which officials sought to communicate, and not until they had left behind them the reception place of the President's letter, and had reached the distance of twelve miles above Uraga, did they come to anchor.

The government boats, which had been waived aside in the lower bay, approached with a high Japanese official and interpreters. They were received by one of the captains designated by the commodore, he pursuing the policy of his last visit of holding intercourse only with a dignitary of equal rank specially nominated by the emperor. The official stated that the imperial orders were that the fleet should be treated with the utmost kindness, and that commissioners had been appointed to negotiate with "the Admiral." He said that the place fixed by the emperor for the conference was at Kamakura, in the outer bay. The commodore instructed his representative to reply that he would not return to the lower bay, and that if the commissioners were not willing to treat with him opposite his present anchorage, he would proceed with the fleet to Yedo and ask to negotiate there.

Some time was spent in daily visits to the flagship, discussing the place of meeting. The fact was that the court of Yedo had decided to make the best terms possible with the foreign commander, and to comply at

least partially with the terms of the President's letter; and the only object of these discussions as to the locality for the negotiations was to get the fleet as far away from the capital as possible. The commodore, however, was firm, and it was arranged that the place of meeting should be near the anchorage, at the site of the present city of Yokohama.

The first conference took place March 8, but meanwhile the credentials of the chief Japanese plenipotentiary had been submitted to the commodore and found satisfactory. As on the former visit, a special house had been erected for the conferences. On the part of the Japanese there was no such military display as on the occasion of the delivery of the President's letter, only a small guard being present. But the commodore, true to his purpose of impressing the Japanese with the importance of the mission, came on shore in much the same style as on his first landing, with a full detail of officers and marines and to the sound of martial music and salutes in honor of the emperor, the Japanese plenipotentiary, and himself.

It was found that to the imperial plenipotentiary four other princes and persons of high rank had been added to complete the commission. After the necessary introductions, the reply to the President's letter was submitted, which indicated a certain acquiescence in its terms. The negotiations then began and were continued at various conferences through the month. They were quite formal in their character, but marked by the greatest courtesy and good feeling, the Japanese commissioners proving quite equal to their new and untried duties.

On March 11 the presents brought from the United States for the emperor and other officials were delivered with due ceremony. They filled several large boats, were escorted from the ship by a number of officers, a company of marines, and a band, and were received by the high commissioners and their suite. In the list are noted a great variety of firearms and swords of the latest patterns and of fine workmanship, a quantity of books, beautiful dressing-cases and perfumeries, many clocks, instruments and tools, a complete telegraphic apparatus, a small locomotive, cars, rails, and all the appliances for a miniature railroad, lifeboats, and (not to suppress the truth) many baskets of champagne, a great variety and supply of liqueurs, and many barrels of whiskey.

Twelve days later the Japanese presents in return were delivered. The commodore went ashore with a numerous suite of officers to receive them. They filled the large reception hall, and were in endless variety, representing the perfection of Japanese art, exquisite lacquer work, the most delicate embroideries, porcelain ware most frail and perfect in workmanship, silks, satins, crepes, pongees in great quantity and variety, fans, umbrellas, dolls, etc. There were also fruits, rice, fish, and three hundred chickens, but no liquors of any kind. There were presents from the emperor to the President of the United States, to the commodore, to the captains of the ships, the interpreters, etc., none of those who had taken part in the conferences being neglected. There were presents from the commissioners, counselors of state, the governor, and the interpreters. The Americans were fairly equaled by their Japanese friends.

While the treaty negotiations were going on the American officers and artisans were busy in unpacking the presents and explaining their operation. The telegraph wire was stretched, and offices opened at either end, from which messages were sent in English, Japanese, and Dutch, greatly to the amazement and curiosity of the dignitaries and people, who daily crowded the buildings. A circular railway was constructed and the Lilliputian locomotive and train of cars were operated to the wonder and delight of the throng of spectators. These inventions, the steam engines of the vessels, and the manœuvres of the marines, deeply impressed the Japanese with the marvelous power and genius of their visitors.

The Japanese officers had been hospitably received on their various visits to the ships, and had become quite accustomed to American dishes, and were especially partial to champagne and the other liquors served them. When the negotiations were practically completed, the commodore invited the Japanese commissioners, the attendant officials, and interpreters to a banquet on board the flagship. Great good-fellowship prevailed, and as the wine was freely used, the toasts became frequent on the part of some of the Japanese, who grew quite hilarious over the peaceful termination of the negotiations.

At last the treaty was agreed upon and ready for signature, and the ceremony of signing took place at the hall of conference on March 31, 1854. Commodore Perry signed and delivered to the commissioners three copies of the treaty in the English language, and

accompanied them with translations in the Chinese and Dutch languages, certified to by his interpreters; and the commissioners signed three copies of the treaty in the Japanese, Chinese, and Dutch languages, and handed them to the commodore. Immediately after the ceremony the commodore presented the first commissioner (Hayashi) with an American flag, remarking that he considered it the highest expression of national courtesy and friendship he could offer. The commissioner, it is reported, seemed deeply impressed with the gift, and returned thanks with indications of great feeling.

The signing of the treaty was followed by a dinner, given in the hall of conference by the Japanese commissioners. It was served entirely in native style. It is recorded that the feast did not make a strikingly favorable impression on the guests; but they were greatly pleased with the courtesy of their hosts, whose urbanity and assiduous attentions left nothing to desire on the score of politeness. They departed, however, it was confessed, with appetites but scantily gratified by the unusual fare that had been spread before them.[1]

The treaty which had been agreed upon was all that was expected by the American negotiator, the doughty commodore, except as to the matter of commerce. The Japanese stipulated for the protection of shipwrecked sailors; two ports were to be opened, in addition to Nagasaki, where Americans might land, where vessels might obtain supplies and purchase goods, and which

[1] For narrative of events on second visit to Yedo and negotiation of treaty, 1 Perry's Expedition, chaps. xviii., xix., and xx.; for official report and documents, S. Ex. Doc. 34, cited, 116–167.

might be made depots for coal; and consuls or government agents were permitted to reside at Shimoda, the open port nearest the capital. It was not possible to secure the privilege in the open ports of unrestricted trade. Hope was held out that it might be granted later, but for the present the government had gone as far as it was able in view of the national sentiment, to meet the demands of the United States. Anticipating, however, that other nations would soon bring like pressure upon Japan for treaties, and that they might secure some additional privileges, a provision was inserted that the United States should enjoy all such privileges.

The commodore's anticipations were soon realized. Six months after his treaty was signed a British admiral sailed into the harbor of Nagasaki, and demanded like treatment as the Americans, and October 14, 1854, a treaty was signed with Great Britain similar to that with the United States. Russia followed January 26, 1855, Holland the same year, and other nations later.[1]

Commodore Perry had successfully performed his mission. Free commerce was not yet secured, but he had broken down the barriers of non-intercourse, and opened the gates of the capital to the access of foreign governments. The first important steps had been taken by Japan, and the rest would follow in due time. In all the negotiations the American commander exhibited marked skill as a diplomatist. True the squadron was a great support in the negotiations. But even with that it was easy for him to make a fatal mistake; yet he

[1] Nitobe's Intercourse, etc. 59; Japan, by J. J. Rein (translation), New York, 1884, p. 243.

made none. While he exhibited the firmness becoming a military officer of his government, he was careful not to wound the sensibilities of the Japanese. He fully and frankly discussed with them all the terms of the treaty, but at the point where further persistency was unwise he yielded to the wishes of the Japanese negotiators.

By his skill, patience, and courtesy he achieved a great personal triumph, and rendered an inestimable service to his own country, to Japan, and to the world. To his own profession he added great renown. England, France, Holland, and the United States have produced justly celebrated naval heroes, who have added imperishable glory to their countries, but none will stand higher on the roll of fame or as a benefactor of his race than the sailor diplomat, Matthew Calbraith Perry, who achieved a signal victory without firing a single hostile shot.

The treaty was hailed both in Europe and America as a great triumph of Western civilization. It was promptly and unanimously ratified by the Senate. The Secretary of the Navy, in acknowledging to Commodore Perry its receipt and the action of the Senate, wrote: "I tender you my warm congratulations on the happy success of your novel and interesting mission. You have won additional fame for yourself, reflected new honor upon the very honorable service to which you belong, and we all hope have secured for your country, for commerce, and for civilization a triumph the blessings of which may be enjoyed by generations yet unborn."[1] On his way home he was highly honored by

[1] S. Ex. Doc. 34, cited, 180.

the American residents at Canton, and after his arrival by his fellow-citizens in New York and other cities. Increasing years have added to his fame and to the recognition of his services to his country and mankind.

But in no part of the world has his work been so highly appreciated as in Japan itself. When the exchange of the ratifications of the treaty was effected in Japan on the 21st of February, 1855, the commissioners with whom the commodore negotiated the treaty sent him many messages of friendship, and the assurance that "his name would live forever in the history of Japan." So early did the Japanese begin to realize the value to them of his enforced negotiations, and time has constantly added to this realization. The "New Japan" dates back the beginning of its progress to "the coming of Perry."

So strongly has that country become impressed with its obligations to him that an association in Japan set on foot a movement to erect a monument to his memory. The circular, signed by the president (a member of the imperial cabinet), setting forth the object of the movement, refers to the visit of Perry as "the most memorable event in our annals — an event which enabled the country to enter upon the unprecedented era of national ascendancy in which we are now living." The monument was erected upon the spot where the commodore first landed and held his conferences with the Japanese plenipotentiary. The money for its erection was contributed by the Japanese people, the emperor himself subscribing to the fund; and the inscription

upon it, recognizing the commodore's services in appropriate terms, was prepared by Marquis Ito.

The dedication took place on July 14, 1901, being the forty-eighth anniversary of the event. The government of the United States sent a squadron to participate in the exercises, commanded by Rear-Admiral Rodgers, a grandson of Perry, and there was also present Rear-Admiral Beardslee, who was a midshipman in Perry's fleet. The Japanese government honored the occasion with the presence of its army and navy. The president of the association, in his dedicatory address, gave as the reason for the location of the monument that "it was at this spot that the modern civilization of our empire had its beginning. . . . When Commodore Perry set his foot on this shore the Japanese empire was enshrouded in the fogs of a seclusion of nearly three hundred years." He proceeded to review, "the complete and wonderful change" which the nation had made, and for which it was mainly under obligations to the United States. "This monument," he said, "is erected to preserve on stone our determination never to forget the friendship of the United States that sent Commodore Perry to induce us in a peaceful way to have intercourse with foreign powers." The prime minister of the empire also delivered an address of similar purport, in which he said: "It gives me boundless joy to participate in this grand celebration at this moment when the light of our progress is sending forth its rays with increasing brightness."[1] Such an occasion and such a tribute are without a parallel in the history of nations.

[1] Foreign Relations U. S. 1901, p. 378.

VI

THE TRANSFORMATION OF JAPAN

The United States in 1854 had attained a commercial and industrial position among the nations of the world, which for rapidity of growth and for importance was unprecedented in history. It was an era peculiarly fitted for the development of American commerce. The unsettled political state of Europe, which had materially reduced its productiveness, had but added to the trade of the United States in the Atlantic; while the settlement of California had created a new centre of energy on the Pacific, and greatly stimulated national interest and effort in commercial intercourse with the East. It was but natural, then, that the people of the United States should have received the announcement of the success of the Japan expedition with satisfaction at the prospect of material benefit which it offered, and with pride in the American enterprise and skill which had opened a new field for their activities.

Up to the period when this expedition was initiated the two neighboring empires of the Far East had preserved a uniform policy in their relations with the Western nations. This policy was steadily persisted in to the point where warlike opposition was encountered. When confronted by a serious display of force, the

dissimilar character of the two peoples dictated a divergent course of conduct. The Chinese with blind obstinacy adhered to their policy, while the Japanese, though a warlike people, were able to discern the situation of affairs and yielded to the inevitable.

The government at Yedo negotiated with the American plenipotentiary under the persuasive influence of his warlike fleet, and made the best terms possible rather than hazard the consequences of a military conflict. But much had yet to be done by way of negotiation before Japan was opened to commerce and intercourse with the world. The first step, however, had been taken and the spirit of the age would not permit a backward movement.

The first appearance of a foreign vessel in the Bay of Yedo after Commodore Perry had taken his departure was that of the American clipper-ship Lady Pierce. She had been fitted out by her owner for a pleasure voyage, and, anticipating the success of the Perry mission, sailed from San Francisco for Japan. Fifteen days after the commodore left, the Lady Pierce entered the bay "as a token of peace and amity." En route at Honolulu a shipwrecked Japanese was taken aboard, and for his return the thanks of the authorities were tendered. The vessel attracted great attention by the symmetry of her model and the elegance of her appointments. Orders were received from the capital that "similar hospitality to that displayed toward Commodore Perry" should be extended. During the stay the vessel was furnished with all needed supplies, and at its departure presents were sent the captain from the

Shogun. But notice was given that thereafter all foreign vessels must resort to the new treaty port of Shimoda, as they would not be permitted to enter the Bay of Yedo. The favorable change in the demeanor of the authorities was very marked.[1]

The government of the United States lost no time in taking advantage of the privileges secured by the Perry treaty. The eleventh article provided for the residence of a consul or agent in Shimoda eighteen months after the signing of the treaty. Exercising some license as to this provision, a consul-general was appointed July 31, 1855, to reside at Shimoda, and a month earlier a consul was named for Hakodate, the other open port. Townsend Harris, of New York, was selected for the post of consul-general. His school education was confined to the academy of his native town, but his taste for study caused him to read extensively and also to acquire a knowledge of the French, Spanish, and Italian languages. He was trained for mercantile pursuits, and for many years was a merchant in the city of New York. For six years previous to his appointment he was engaged in commerce in the East as supercargo and merchant, and in this way had become familiar with the people of the Orient.

He was also charged with the negotiation of a new treaty with Siam, the one made by Mr. Roberts in 1833 not having proved fully adequate for the protection of American interests. This duty he was enabled to discharge successfully, and, after a short delay,

[1] The China Mail, August 24, 1854.

continued on his voyage to Japan in a naval vessel which had been placed at his service.[1]

The San Jacinto with the consul-general on board reached Shimoda, August 21, 1856. Mr. Harris kept a journal during his residence in Japan, and as he sailed up the coast in sight of Fujiyama, he makes this entry: "I shall be the first recognized agent from a civilized power to reside in Japan. This forms an epoch in my life, and may be the beginning of a new order of things in Japan. I hope I may so conduct myself that I may have honorable mention in the histories which will be written on Japan and its future destiny." As indicated in this extract, he at all times during his mission evinced a laudable ambition, but it was tempered with a well-becoming degree of reserve.

From his first intercourse with the officials at Shimoda he was met with obstruction, evasion, and prevarication which sorely tried his patience. The governor said that it was not expected that a consul would be sent unless some difficulty should arise, and that no arrangements had been made to receive him and no proper house could be had. He advised the consul-general to go away and return in a year. At the official interview granted him and Commodore Armstrong of the San Jacinto, Harris was again requested to go away, and when he declined the commodore was asked if he would take a letter to the United States expressing a desire for the consul's removal, but he also declined. He was then asked if he would write his government and

[1] For negotiations in Siam, Fankwei: The San Jacinto in the Seas of India, China, and Japan, by Dr. W. M. Wood.

explain why Harris could not be received, and when answered in the negative, it was proposed to Harris to write and ask for his own removal.

Meeting with a refusal at all points and being notified by Harris that, if not received at Shimoda, he would go in the San Jacinto to Yedo, the governor provided a temple for his accommodation, but said that three of its rooms would be required for the Japanese officials who had been assigned "to aid and protect" the consul. To this Harris objected, saying that he would have in his house none but his own suite and servants. He was finally installed and the American flag unfurled from a high staff in front of the consulate. His next trouble was that guards were stationed about his house, nominally for his protection, but manifestly as spies and to restrain his movements. After vigorous protests these were removed. Then he was forced to complain that his servants were not permitted to make purchases and were dependent on the officials for supplies. By slow degrees he brought the authorities to comprehend and respect his rights as a foreign representative.

Although he held the rank only of consul-general, Mr. Harris had been clothed by his government with diplomatic powers, and immediately on his arrival he dispatched a letter to the minister in charge of foreign affairs at Yedo, informing him of his arrival and character, and also transmitting a letter from the Secretary of State of the United States. As soon as he could adjust himself to his surroundings and secure a proper recognition of his official rights, he set to work

to correct some of the misunderstandings which had arisen respecting the Perry treaty. The Japanese had denied the right of Americans to reside in the treaty ports. They had also fixed a grossly inadequate value on American coins used in purchasing supplies and in trade, and had raised various other questions. After persistent demands, commissioners were appointed to negotiate with him, and on June 17, 1857, ten months after his arrival, he concluded and signed with them a treaty.

By this convention the right of permanent residence in the treaty ports was granted to Americans, the rate of American currency was fixed at its true value, jurisdiction was granted to the consuls to try Americans for offenses committed in Japan, and the rights and privileges of consuls were more clearly defined. These were important concessions secured by the patient, though persistent, American representative, but they had been obtained by him under trying circumstances. The Japanese obstructions were a severe trial, but the apparent neglect of his own government was even more dispiriting. For more than twelve months after his arrival he was without a single communication from Washington, and he lived practically the life of a hermit. The only white person with whom he had intercourse was his secretary. His stock of European provisions was long exhausted before a naval vessel brought him a new supply, and his health felt the effects of the exclusively Japanese fare. Yet there was still before him new tests of his patience and official endurance, though to be finally crowned with even greater success.[1]

[1] For details of Mr. Harris's residence at Shimoda, see his Journal in Life of Townsend Harris, by W. E. Griffis, Boston, 1895.

Mr. Harris brought with him a letter from the President of the United States to the emperor of Japan, and soon after his arrival he had applied for an audience of the emperor to present the letter, which would involve a journey to the capital. Such an event as the official visit of a diplomatic representative of a Western nation to the capital and his reception by the Shogun (or Tycoon) was without precedent in Japanese history. Evil portents had followed the advent of Perry. A fearful earthquake had destroyed a large part of Yedo and the surrounding towns. This was followed by a typhoon by which more than a hundred thousand lives were lost. And even at that time the capital was being ravaged by an epidemic of cholera whose victims amounted to thirty thousand. In the minds of the people, Providence was pronouncing condemnation against the intrusion of the foreigners.

But the American representative was urgent, and in order to avoid the alternative of having the President's letter borne to the capital by another fleet of warlike vessels and delivered under the guns of the intruders, it was finally decided to permit the peaceful visit of the diplomatic representative and to grant him a personal audience of the Shogun. Shimoda was situated several days' travel from Yedo, and the journey was made overland. The escort which conducted the American "ambassador," as he was termed by the Japanese, to Yedo presented a picturesque appearance. First came an avant-courrier on horseback with guards, attendants, and criers to clear the way. Next was the "standard-bearer" carrying the American flag, a strange ensign

to the warlike Japanese, made more striking by the peculiar dress of the bearer, decorated with the coat of arms of the United States, and surrounded by guards. Then came the "ambassador" mounted on horseback with a bodyguard, followed by his morimono, or chair of state, and its bearers; the secretary on horseback, with guard and chair; a long retinue of servants, with presents and baggage; also the vice-governor and mayor of Shimoda, with soldiers and attendants. The whole train numbered some three hundred and fifty persons.

The journey lay mainly over the Tokaido or imperial highway, and consumed a week. Notice had been given along the route of the coming of the "ambassador." The bridges were all put in order, the streets of the towns swept, and the municipal officials met the procession and escorted the embassy through the irrespective precincts. Large numbers of people crowded the highways, and knelt with averted heads as the "great man" passed, perfectly well behaved and in silence; the officials only saluting by the usual prostration, touching their heads to the ground. The single disagreeable incident occurred as the boundary line to the metropolitan province was reached, when Mr. Harris was informed that according to an immemorial law, from which none were exempt, his baggage must be inspected. This he positively refused to permit, and after much parleying he gained his point, and the procession moved on across the sacred boundary.

The day which would have concluded the journey and marked his entrance into Yedo fell upon Sunday, but the representative of a Christian country declined

to go forward, and halted to spend the Sabbath according to his custom. "Ever since I have been in this country," he records in his journal, "I have refused to transact any business on that day. . . . They now fully understand my motives, and they respect me for them." It was the first Sunday in Advent. He says, "I read the whole service for the day with Mr. Heusken [his secretary] as my clerk and congregation." Later he describes similar observances of the day in the capital, and says he not only read the service in a loud voice so that the Japanese might hear it, but also told his official attendants that it was the Christian service. "I shall be both proud and happy if I can be the humble means of once more opening Japan to the blessed rule of Christianity." He was soon to have his prayer answered.

The entrance of the American representative into Yedo, following the flag of his country, was a memorable event in Japanese history. It was effected with considerable pomp, and was witnessed by hundreds of thousands of people in perfect silence and good order. After the customary preliminary visits to the chief minister of state and others, the audience of the Shogun and delivery of the President's letter took place. The details of this ceremony had been in the main agreed upon before the departure from Shimoda. When it was suggested to Mr. Harris that he should perform the usual prostrations in the presence of the Shogun, he peremptorily refused and said he would consider it an insult if the subject was ever again mentioned to him. It was arranged that he would be received with

the ceremonies usual in European courts, he making the three customary bows on appearing in the imperial presence. He describes his uniform as follows: "My dress was a coat embroidered with gold after the pattern furnished by the state department, blue pantaloons with a broad gold band running down each leg, cocked hat with gold tassels, and a pearl-handled dress-sword." In contrast with the attitude of the American representative, all the officials present at the audience including the chief minister of state, the princes, and even the three brothers of the Shogun, prostrated themselves in his presence and only moved by crawling on their hands and knees.

Mr. Harris records that the prince, who had been assigned to accompany him during the audience, afterwards told him "that all who were present were amazed at my 'greatness of soul,' at my bearing in presence of the mighty ruler of Japan; they had looked to see me 'tremble and quake,' and to speak in a faltering voice." While Mr. Harris enters this in his journal, he says he is inclined to think there is an admixture of "soft-sawder" in it. The audience was followed by a dinner sent by the Shogun to the diplomat's apartments, and later by an exchange of presents, among those of the American prominently appearing champagne and liquors.[1]

The great work which Harris had in hand still remained to be accomplished — the granting of residence to diplomatic ministers at the capital and the opening

[1] For journey and audience, Harris's Journal, Griffis, chaps. xi. and xii. For Harris's letter, July 3, 1858, Littell's Living Age, 1859, p. 567.

of Japan to commerce and Christianity. It was a labor which required great patience and toil, and continued through several months. Commissioners of high rank were delegated to conduct the negotiations with him; and although men of the first intelligence in the empire, they acted with the simplicity of children in their conferences with the American negotiator. Twenty years after the event the papers of the Shogun were made accessible to the American legation at Tokio, and a translation of the accounts of some of these conferences as recorded by the imperial commissioners was transmitted to the Department of State, which shows a curious state of mind on the part of the commissioners.[1]

Mr. Harris was invited by them to state what he desired to accomplish in the negotiations, and to give them an account of the condition of political and commercial affairs in the outer world. He discoursed to them for more than two hours, and this was followed by a series of questions and answers. In his journal he records that as the shades of evening began to gather he ordered in the lamps, "but the commissioners told me I had fairly beaten them in my powers of endurance, and they must beg to be excused." The Japanese record shows that in the course of the conferences the commissioners asked, among other things, if it was necessary after establishing treaty relations to admit ministers, and when the American "ambassador" had replied in the affirmative, they asked —

Question. What is the duty of a minister?

[1] D. W. Stevens to Secretary of State, Foreign Relations, 1879, p. 621.

Answer. * * *

Question. What is the rank of a minister?

Answer. * * *

Question. What kind of a thing is the law of nations?

Answer. * * *

Question. Let us now hear what is meant by opening ports like other nations.

Answer. * * *

Question. Is there anything more we ought to know?

Answer. * * *

In his record of these conferences Mr. Harris says: "I may be said to be engaged in teaching the elements of political economy to the Japanese. . . . They said they were in the dark on all these points, and were like children; therefore I must have patience with them. They added that they placed the fullest confidence in all my statements. . . . I then gave them champagne, which they appeared to understand and to like." Champagne seems to have been an important factor in the diplomacy of the Orient.

By his forbearance and painstaking method of explanation and instruction, Harris won the confidence of the imperial negotiators, and by yielding on non-essential points and demands which the Japanese could not well concede, he succeeded in obtaining a treaty which completely satisfied his own government and was accepted as a model by all the European nations. Much delay in its signature was occasioned by the opposition of the daimios and other influential dignitaries. A

copy of the treaty was carried to the sacred city of Nikko and laid upon the tomb of the founder of the Shogunate, in the hope that some revelation might come from the spirit-land. It was likewise submitted to the Mikado's court without avail. After all his labors, Harris began to fear that his work would come to naught, and in his intense anxiety he fell ill, which enabled the court of Yedo to show its tender regard for him in the healing services of its physician.

Two concurrent events at last led to the consummation of his ardent hopes. Prince Ii-Kamon, a man of resolute character and one who foresaw the future, became chief minister of state. The war which England and France were waging against China seemed to be nearing its close, and the great armaments employed in Chinese waters would be free to come to Japan with their ambassadors to dictate treaties. Mr. Harris made the most of the situation, and urged the Japanese to act promptly and thereby "save the point of honor that might arise from their apparently yielding to the force that backs the plenipotentiary, and not to the justice of his demands." Prince Ii put aside all opposition and directed the Harris treaty to be signed. The American, without the aid of ships of war, had fought his diplomatic battle single-handed, and had won. When the experienced British, French, and Russian ambassadors sailed into the Bay of Yedo, escorted by mighty fleets, they found the arduous part of their task already accomplished.

The treaty, signed July 29, 1858, provided for diplomatic agents to reside at the capital, and consuls at all

the open ports. Commerce was authorized, additional ports were opened, and a tariff and trade regulations were agreed upon. Americans were permitted to reside at the capital and at all the open ports, jurisdiction over them was given to their consuls, and the free exercise of their religion was guaranteed. Other provisions were made, and the treaty was so broad as to remain practically the basis of Japan's relations with all the Western countries for a period of forty years, or until the empire was finally released from its pupilage in 1899, and admitted freely into the family of nations.

Lord Elgin, governor-general of India, and British ambassador accompanying the forces in China, reached the Bay of Yedo the month following the signature of the Harris treaty, having stopped on the way at Shimoda to confer with the American diplomat, from whom he obtained a copy of his treaty, and secured the aid of his secretary, Mr. Heusken, as interpreter. He remained in the bay nine days, in which time he signed a treaty modeled after that of the United States, and delivered to the Japanese government a yacht as a present from the queen of Great Britain. The French and Russian fleets were in the harbor during the same month, and following the example of the British, their representatives negotiated similar treaties.[1]

Happy auspices attended the sequel to the signature

[1] For Harris negotiations, Harris Journal, Griffis, chaps. xiii. to xvi.; Harris Letter, July 6, 1858, Littell's Liv. Age, 1859, p. 571; Nitobe, 113; 1 Japan, by Sir E. J. Reed, London, 1880, p. 252; Narrative of Lord Elgin's visit, etc., Lawrence Oliphant, New York, 1860; London Examiner, Nov. 6, 1858, in Littell's Liv. Age, 1858, p. 893; 1 The Capital of the Tycoon, by Sir R. Alcock, London, 1863, pp. 208–222.

of the Harris treaty. It provided that the ratifications should be exchanged in Washington, and the faithful representative brought about a proposition from the Japanese government to make the exchange the occasion of a special embassy to Washington. As the United States had been the first nation with which Japan had made a treaty, so, said the ministers of state, "the first mission ever sent abroad by our nation" should be to that country. The suggestion was cheerfully accepted by the government at Washington, and it was determined to bring the embassy in naval vessels of the United States. Some delay was occasioned, however, by the necessity of securing an exception to the law inflicting the penalty of death upon any one leaving the empire. The embassy consisting, officials and attendants, of seventy-one persons, sailed from Japan in February, 1860, the thoughtful Harris having planned the journey so that his Japanese friends might see his capital in the genial month of May.

The embassy was received in San Francisco with cordial welcome, transferred at Panama to another man-of-war, and brought direct to Washington. Here they were made the guests of the nation, received in state by the President, and entertained by the Secretary of State. The cities of the Atlantic seaboard vied with each other in extending hospitalities and honors. They attracted universal attention and friendly and favorable comment, their dignified deportment especially being noticed, the general newspaper remark being that "they were quite as dignified, intelligent, and well bred as any gentlemen in any country or time." On the other

hand, the Japanese were greatly pleased with their reception, and amazed at what they saw. The chief ambassador, Shimmi, wrote home in glowing terms of their treatment: "Though I have not yet seen the capital, I have already amassed knowledge and experience enough to pile up a mountain or fill up a sea. But of these, were I to speak with you, three fourths will be a relation of what I grieve for for our country." The embassy returned to Japan by the same route and method as they came.[1]

Upon the ratification of the treaty Mr. Harris was commissioned as minister, and continued at his post till May, 1862. He had under date of July 10, 1861, asked the President to accept his resignation and appoint his successor. He wrote: "The extraordinary life of isolation I have been compelled to lead has greatly impaired my health, and this, joined to my advancing years, warns me that it is time for me to give up all public employment." Secretary Seward, in accepting the resignation, said: "I regard your retirement from the important post you have filled with such distinguished ability and success as a subject of grave anxiety, not only for this country, but for all the Western nations." The Japanese government was likewise very expressive in its regret at his departure. The ministers for foreign affairs, in a letter to Secretary Seward, recognized his perfect knowledge of affairs, his friendly conduct, and the great value of his services to their country, and regretted that he could not continue as minister.

[1] S. Ex. Doc. 25, 36th Cong. 1st Sess.; Harper's Weekly, May and June, 1860; Nitobe, 159.

The discoverer or explorer of regions before unknown has always commanded just admiration, but the pioneer following in his footsteps and by patient toil securing to civilization the new found lands is too often forgotten by those who reap the fruits of his labor. The same is true in the great world of commerce. He who first enters a new field which gives promise of extensive trade is remembered and honored by future generations, while the man who comes after him and by persistent effort, unadorned with adventure or novelty, makes possible the development of a profitable commerce, receives but slight commendation as recompense for faithful service. So it was in the case of Japan. The name of Commodore Perry is familiar to every American, while that of Townsend Harris, the negotiator of the first commercial treaty with Japan, and the founder of diplomatic intercourse, is comparatively but little known and his achievements but little remembered. The genius of Perry had unbarred the gate of the island empire and left it ajar; but it was the skill of Harris which threw it open to the commercial enterprise of the world.

The first British minister to Japan, after becoming fully conversant with the situation of affairs, gave Harris great credit for skill and estimated highly the value of his services to all nations. By the Japanese he is held in grateful remembrance. He reflected great honor upon his country, and justly deserves to rank among the first diplomats of the world, if such rank is measured by accomplishment.[1]

[1] U. S. Dip. Cor. 1862, pp. 799, 812, 816; 1 Alcock's Capital of the Tycoon, 208; Nitobe, 115.

The enforcement of the treaties of 1858, whereby diplomatic ministers were established in the capital and certain of the ports opened to foreign residence and commerce, was the signal for a manifestation of great discontent throughout the empire. Perry's treaty had been bitterly opposed by most of the leading daimios, and they had steadily set themselves against all foreign intercourse. Towards the Shogun and his government, which had made the treaties, their attacks were mainly directed, but the foreigners were destined to experience the first assaults.

The dual form of government, which had existed for centuries, was involved in the controversy. The Mikado, or emperor, resided at the interior city of Kioto, and had been kept in virtual retirement, being sovereign only in name. The Shogun, the military commander, whose ancestors had usurped the executive functions of government, was the real ruler of the empire. But many of the daimios had long been restive under the usurper, and the feeling of discontent was already widespread at the time of the coming of Perry.

The treaties added fuel to the flame, and the cry was raised, "Honor the Mikado, and drive out the foreign barbarians." Harris's journal shows that he scarcely understood the internal situation at the time of his negotiations. He frequently charges the Japanese officials with bad faith and falsehood, in protesting that they could not yield to his demands because of the prejudice and opposition of the enemies of the government, when subsequent events showed that they were sincere in these declarations. After he had been in

the country more than a year, he makes this entry: "Among the mysteries of this mysterious land, none is more puzzling to me than this Mikado." In 1858, after his treaty had been agreed upon, he records the great contempt with which the Mikado was spoken of by the Yedo officials, who claimed that he was "a mere cipher." And yet, when the authorities found it necessary to send his treaty to Kioto for approval, he began to suspect that the Shogun's government was an empty sham, and that the real ruler of Japan was the Mikado.[1]

The first few years after the treaties of 1858 were times of disorder and violence. Even the life of Mr. Harris was threatened while the negotiations were in progress. In 1859, during the visit of a Russian fleet, one of its officers and two men were killed in the streets of Yokohama. Early in 1860 an interpreter of the Russian legation was mortally wounded, and the captains of two Dutch vessels were hacked to pieces. In March, Ii, the regent of the Shogun, who had caused the treaties to be signed, was assassinated for the alleged reasons that he was "making foreign intercourse his chief aim," and had insulted the Mikado's decree. Then Mr. Heusken, the useful and worthy secretary of the United States legation, was murdered in the streets of Yedo in January, 1861. The next year the British legation was attacked by a foreign-hating mob and two of the British guards were killed. Bands of lawless men, *ronins*, were abroad stirring up

[1] Harris's Journal, 122, 270, 313; Chamberlain's Things Japanese, 385.

opposition to the foreigners, and the Shogunate seemed powerless to repress them.

During this year occurred one of the most celebrated cases of assaults upon foreigners. A Mr. Richardson, an Englishman, with a few friends, while riding on the Japanese highway near Yokohama, was attacked and killed by some of the followers of the prince of Satsuma, one of the most powerful daimios of the empire and a bitter opponent of the foreigners. The conduct of the Englishman which caused the assault seems to have been very foolhardy, but the British minister made a demand upon the Shogunate for $500,000 and upon the daimio of Satsuma for $125,000 as an indemnity. The Shogunate after some delay agreed to the payment of the first sum, but the prince of Satsuma refused. A British squadron was dispatched to Kagoshima, the daimio's capital, which was bombarded and burnt, after which the indemnity was paid.[1]

This lesson, however, was not sufficient to teach the anti-foreign element the futility of attempting to rid their country of the intruders. Numerous acts of violence occurred in 1863, among which was the burning of the American legation in Yedo. Hon. R. H. Pruyn, of New York, had succeeded Mr. Harris in 1862,

[1] A Japanese statesman, writing sixteen years after this event, says: "There were many cases where fatal collisions were purposely provoked by foreigners, the results of which were no more a matter of satisfaction to us than of regret. Such was the case of Richardson, the Englishman, who willfully tried to ride through the train of the state procession of the prince of Satsuma, and was killed by a retainer of the prince, an act which, at that time of feudalism, was entirely justifiable, because such discourtesy to a princely retinue was deemed an unpardonable outrage." Matsuyama Makoto, N. A. Rev. Nov. 1878, p. 412.

and assumed his duties in the height of the agitation against foreigners. When his legation was burned, he took up his residence in another house and refused to leave the capital, although his European colleagues had withdrawn to Yokohama, where they were under the protection of their men-of-war. Finally the government informed him that it could no longer protect him, and he was escorted by a large armed force to a Japanese steamer and taken to Yokohama. He secured from the Shogunate a payment of $10,000 to the mother of Mr. Heusken, the murdered secretary of legation; also $10,000 for losses on account of the burning of the legation; and various other sums for injuries suffered by American citizens and vessels. He, however, sought to exercise the utmost moderation in his attitude towards the government, and carried his friendly spirit so far as to awaken the suspicion of the British and some other ministers of his complicity with the Japanese.[1]

The Mikado's party had become so strong as to lead the Shogun to obey the summons to Kioto to confer with the emperor, a visit which was without precedent in the past three centuries. From Kioto the Shogun issued an order, which was delivered to the foreign representatives, "to the effect that the ports are to be closed and the foreigners driven out, because the people

[1] U. S. Dip. Cor. 1861, 1862, 1863, subject, "Japan"; Nitobe, 75; 1 Reed's Japan, 255–267; Rein's Japan, 349; Alcock, vol. 1, chaps. xi., xiv., xvi., xvii., vol. 2, chaps. ii., iii., viii.; Griffis's Mikado, 591; 1 Adams's History of Japan, 138, etc.; The Story of Japan, by David Murray, New York, 1894, p. 344. For Prince Ii, The Life of Ii Naosuki, by Shimada Saburo, Tokio, 1888.

do not desire intercourse with the foreign countries." To this order Mr. Pruyn replied that the citizens of the United States had the right of residence and trade granted by treaty. "The right thus acquired will not be surrendered and cannot be withdrawn. Even to propose such a measure is an insult to my country, and equivalent to a declaration of war. . . . The determination of the Mikado and Tycoon, if attempted to be carried into effect, must involve Japan in a war with all the treaty powers."

During the difficulties with which the Shogunate had been surrounded on account of the treaties, the action of Mr. Pruyn, in contrast with the attitude of the British and French ministers, had been of a conciliatory and forbearing character. Hence the Japanese sought to detach him from concerted action with the European powers, but he refused to listen to the suggestions. The Secretary of State, Mr. Seward, approved his conduct, and wrote: "You will represent to the minister of foreign affairs that it is not at all to be expected that any one of the maritime powers will consent to the suspension of their treaties, and that the United States will coöperate with them in all necessary means to maintain and secure the fulfillment of the treaties on the part of the Japanese government." This action of the government of the United States constitutes an exception to its general policy of avoiding coöperation with European powers, but the condition of affairs in the East and the community of interest of the treaty powers made such action to a certain extent desirable, if not necessary.

Strengthened by the instruction of the Secretary of State, and taking advantage of his friendly relations with the Shogunate, Mr. Pruyn induced the ministers of foreign affairs to recall their letter ordering the closing of the ports and the withdrawal of the foreigners. It is highly probable that the Shogun's action in issuing the order of the Mikado was merely perfunctory, and that his government never expected to attempt its enforcement, knowing full well that it would not be obeyed by the foreigners. Envoys had been sent by it to the governments of Europe asking for the suspension of the treaties and the postponement of the opening of the new ports, but they failed in their purpose, and it was apparent to well-informed Japanese that the country would not be permitted to take a backward step. Upon the withdrawal of the notice for the expulsion of foreigners, the representatives of the treaty powers, recognizing the embarrassments which surrounded the Japanese government, consented to the postponement of the time for the opening of the new ports of Yedo, Hiogo, and others.[1]

Concurrently with these negotiations an event occurred which hastened the adjustment of the internal troubles of Japan and a definite settlement of its foreign relations. The prince of Choshiu, a powerful anti-foreign daimio who was in open rebellion to the Shogun, had sought to close the strait of Shimonoseki, which connected the Inland Sea of Japan with the

[1] U. S. Dip. Cor. 1863, 1864, subject "Japan"; Nitobe, 78; 1 Reed's Japan, 263; History of Japan, by Kinse Shiriaku, translation, Yokohama, 1873, p. 30.

Chinese waters and was regarded by the maritime nations as an ocean highway. The prince had fortified the narrow passage which intersected his territory and guarded it with armed vessels. An American merchant vessel passing through the strait was fired upon, and, later, ships of other nationalities were similarly treated. When the news reached Yokohama, the United States naval steamer Wyoming was in the harbor, and, upon consultation with Mr. Pruyn and at his request, she proceeded to Shimonoseki, and on entering the strait was fired upon by the vessels and batteries. She returned the fire, sinking one of the vessels and badly damaging the other two. She passed through the strait and returned, engaging the batteries, with the loss of four men killed and seven wounded.

About the same time French and Dutch naval vessels had a similar experience. As a result of these attacks, a meeting of the representatives of the treaty powers was held at Yokohama, at which it was decided to organize and dispatch an expedition to open the strait, if it was not done by Japan within twenty days. The Shogun being powerless in the matter, the expedition sailed. It consisted of nine British ships of war, four Dutch, three French, and one United States chartered steamer, the Jamestown, U. S. N., being detailed to protect Yokohama. The latter was the only man-of-war in Japanese waters, the civil war in the United States requiring all other of its naval vessels elsewhere. The attack upon the daimio's forts and vessels began September 5, 1863, and continued until the 8th, when he, defeated at every point, made an unconditional submis-

sion, and thenceforward the strait was open and free to the commerce of the world.

The attack was followed by a demand on the Shogunate by the ministers of the four participating powers for an indemnity, which was fixed at $3,000,000, and after some delay and great embarrassment, because of the poverty of the treasury, it was paid. An equal share of the indemnity was allotted to each nation, although Great Britain had furnished the greater portion of the armament. The exaction of the indemnity under the circumstances has been the subject of much adverse criticism. The attempt to close the port was in violation of international law; but it was not the act of the government with which the powers had relations, and it claimed that, if time was afforded, it would bring about the removal of the obstruction. The sum paid to the United States remained in the treasury unused for twenty years. The public conscience was troubled as to the justness of the exaction, and in 1883 by an act of Congress the amount received was returned to Japan, and accepted by that government "as a strong manifestation of that spirit of justice and equity which has always animated the United States in its relations with Japan." None of the other three nations partaking of the indemnity have seen fit to follow this example.[1]

An incident connected with the Shimonoseki affair occurred which was not without influence on the later history of Japan. The year before, two youths, mem-

[1] U. S. Dip. Cor. 1863–4, "Japan"; 22 Statutes at L. 421; U. S. For. Rel. 1883, p. 606; Griffis's Mikado, 593.

bers of the Choshiu clan, had escaped from the country through Yokohama, notwithstanding the death penalty for such an act. Being inspired with the foreign-hating spirit of their prince, they went abroad for the purpose of learning what it was that made the Western nations formidable, in order that they might return and make use of their knowledge against the intruder. They made their way to London as common sailors, and there heard of the resolution of the Mikado to expel the barbarians, and of the war which threatened their country as a consequence. Their patriotic fervor led them to return. They reached Shimonoseki just at the time of the attack of the foreign squadrons, and acted as interpreters to their prince in the peace negotiations. As Marquis Ito and Count Inouye they are known among the public men of the "New Japan" as having borne an honorable and conspicuous part in its regeneration.

The effect of the severe lessons taught the powerful daimios of Satsuma and Choshiu by the foreign fleets was to convince them of the folly of continuing further their opposition to the barbarians, and that it would be the wiser policy for their country to avail itself of the influences and methods which had made the Western nations so powerful. These lessons were not without their effect also upon other of the Mikado's supporters, and the court of Kioto, while it continued its efforts to destroy the power of the Shogun, relaxed its opposition to the treaties and to foreign residence and commerce. The first important manifestation in this direction was the sanction by the Mikado of the treaties which the Shogun had made with the powers.

When Commodore Perry negotiated his treaty in 1854, he supposed that he was holding relations with the government of the emperor of Japan. He died without knowing his error. The treaties negotiated with the European powers succeeding that of Perry were signed by their representatives under the same delusion. The real conditions of the Japanese system of government had been fully set forth several years before in publications at Canton,[1] but do not seem to have been brought to the attention of Perry and those who immediately followed him. It has been seen that the true relation between the Shogun and the Mikado began to dawn upon Harris in the midst of the tortuous negotiations in which he was involved, and soon thereafter they were fully understood. It is to be noted, however, that no other course was open to those early negotiators than the one pursued by them. The Shogun had in his hands the executive functions of government, and at the time the Mikado did not possess even the semblance of power.

Mr. Pruyn, both separately and in conjunction with his European colleagues, had repeatedly urged upon the Shogunate that it should obtain from the Mikado his approval of the treaties. In 1865 the Shogun and his ministers had taken up their temporary residence at Osaka, in order to be near the Mikado, and from that place they reported to the representatives of the foreign powers at Yokohama that the two heads of government were in friendly accord, and that the Shogun expected

[1] 2 Chinese Repository (1833), p. 319; 9 Ib. (1840), p. 500; 10 Ib. (1841), p. 10.

soon to go to Kioto and obtain the Mikado's sanction of the treaties. Finally the diplomats, wearied with the delay, decided to go to Osaka in a body and bring about the much desired result. They were escorted by a squadron of nine men-of-war of different nationalities, and in a short time after their arrival the Mikado's order was published (November 24, 1865), and sent to all the daimios, giving "imperial consent to the treaties."

The value of such action was that thereafter opposition to the treaties and to foreigners would be a violation of the emperor's edict. Up to that time opposition to them had been evidence of loyalty to the Mikado. The result was a marked improvement in the attitude of the people towards the foreign residents, although attacks upon them by lawless persons did not entirely cease. The American legation was again established at Yedo, where it has since continued undisturbed. Mr. Pruyn, who had served his country as minister through four years of very trying experience, with much usefulness to the government and credit to himself, resigned, and was succeeded in 1866 by R. B. Van Valkenburgh.

During this year another evidence of the liberal tendency of the Mikado's government was the repeal of the decree, which had been in force for more than two hundred years, prohibiting the Japanese from leaving their country. In transmitting notice of this repeal to his government, the American minister says, "Another barrier of Japanese isolation has thus been removed."

It does not fall within the scope of this volume to trace the internal contest which resulted in the transformation of the system of government of Japan. It

became apparent from the civil war in progress and the attitude of the treaty powers that the welfare of the country demanded the restoration of full power to the Mikado. One of the leading supporters of the Shogun, reflecting the sentiments of many of the daimios of his party, addressed an appeal to his chief, in the course of which he said: "The march of events has brought about a revolution, and the old system can no longer be obstinately persevered in. You should restore the governing power into the hands of the sovereign, and so lay the foundation on which Japan may take its stand as the equal of all other countries. This is the imperative duty of the present moment, and is the heartfelt prayer of Yodo."

Impressed with the wisdom of the course indicated in this appeal, the Shogun addressed a manifesto to his adherents, in which he stated that "It appears to me the laws cannot be maintained in the face of the daily extension of our foreign relations, unless the government is conducted by one head, and I purpose therefore to surrender the whole governing power into the hands of the Imperial Court." This was followed by the formal tender of his resignation, which was accepted by the Mikado. Many of his followers, however, refused to acquiesce in the transfer of the executive power, and the civil war continued for a time; but the Mikado was in the end completely triumphant.

The recognition of the Mikado as emperor was soon followed by an audience granted by him to the foreign diplomatic representatives, and later by the transfer of the seat of government to Yedo, which thenceforward

was given the name of Tokio, meaning the "eastern capital." During the civil war the Mikado, who had so strongly opposed the treaties and foreigners, died, and was succeeded by his son, Mutsuhito, a youth of fifteen years, who is still the reigning sovereign. After the resignation of the Shogun and the restoration of peace, the emperor in 1869 took what is sometimes called the "charter oath," promising to give his people a deliberative assembly, to rule justly, and "to seek for wisdom in all quarters of the world."

In the same year an event occurred which is without precedent in the history of nations, and which is the highest testimonial of the patriotism of the public men of Japan. For ages there had existed in the country a feudal system of the most rigid character. The princes, or daimios, were the supreme rulers in their respective provinces, the lords of the domain, and entitled to the unreserved service of their retainers and the people. The most intelligent and thoughtful of the daimios saw that the emperor, to be all that the name implied and in a position to rank with the rulers of the Western world, must be possessed with the powers which the princes then enjoyed. Hence they brought about a voluntary surrender to the emperor by all the feudal lords of their titles, rank, lands, and revenues, and thus enabled the government to be thoroughly reorganized under the modern system of nations.[1]

An interesting fact connected with Christianity was brought to light by the civil commotions and the

[1] U. S. Dip. Cor. 1867–1869, "Japan"; Kinse's History, chaps. ii. and iii.; Adams's History of Japan; Rein's Japan, 355–375.

opening of the country to foreigners. It appeared that, notwithstanding the severe measures which had been adopted in the seventeenth century for the suppression of the "evil sect," a considerable body of native Christians — numbering several thousand — had secretly kept their faith, and the changed condition of the country emboldened them to make themselves known. This awakened the hostility of the government, and a proclamation was issued by the emperor reviving the ancient prohibitive decrees. The matter came to the notice of the American minister. He convoked his colleagues, and an identic note of protest was agreed upon and sent to the Japanese government.

On receipt of the proclamation by Secretary Seward, he replied to Mr. Van Valkenburgh that the President "regards the proclamation as not merely ill-judged, but as injurious and offensive to the United States and to all other Christian states, and as directly conflicting with the eighth article of the treaty of 1858, and no less in conflict with the tolerating spirit and principles which prevail throughout the world. You are advised, therefore, that the United States cannot acquiesce in or submit to the Mikado's proclamation." The minister was instructed to bring the matter quietly and in a friendly manner to the attention of the Japanese government, in view of the civil disturbances, but to "proceed with firmness and without practicing injurious hesitation or accepting any abasing compromise." The other treaty powers adopted the same course, but not until after much discussion and delay on the part of the Japanese government did the persecution

cease and were all the prohibitions against Christianity revoked.[1]

The overthrow of the Shogun, the assumption of full power by the Mikado, thenceforth known only as Emperor, the abolition of feudalism, the removal of the capital to Tokio (Yedo), and the establishment of unqualified diplomatic relations with the Western countries, secured for Japan a recognized place among the powers of the world; but it had a long and weary journey to travel before it could take its place as an equal in the family of nations. After much hesitation and civil commotion, it had turned its back upon the past, but there was before it the task of reorganizing the administration of government, the judiciary, the social system, and commerce. A generation was yet to pass before the reorganization was to be complete in the estimation of the foreign powers.

True to his "charter oath," the emperor was to seek for wisdom in all quarters of the world. The leading nations of the earth were to have their share in advancing or retarding the development of the country, and in enabling it to attain the goal of the patriotic ambition of its people. The United States had been foremost in leading Japan out of its seclusion. The part which it was to play in the development of the new order of affairs will form the subject of a later chapter.

What the country had already accomplished commanded the respect of mankind. The people of the Western world especially were prepared to welcome the

[1] U. S. Dip. Cor. 1867, pp. 56, 63; 1868, pp. 749, 757, 796; 1870, 453–486; Murray's Japan, 379.

dawning of a new era in the East. A sympathetic response was made to the motto which the Japanese inscribed over their exhibit at the Centennial Exposition in Philadelphia in 1876: —

> In the ancient Yamato Island, the sun rises:
> Must not even the foreigner reverence?

VII

THE CRUMBLING WALL OF CHINA

Relying upon the effect of the British war and the advantages secured by the treaties of China of 1842 and 1844 with Great Britain, the United States, and France, the Western nations looked hopefully forward to an era of friendly intercourse with the imperial government and one of great commercial prosperity. But they were destined to serious disappointment. Notwithstanding past experience they had failed to estimate properly the conservatism and arrogance of the Chinese.

Supported by a continuous history of several thousands of years, during which they had developed a high state of civilization, the Chinese felt that they had nothing to learn from the barbarian nations. Their recent intercourse with them led to the belief that the latter were influenced by mercenary and hostile motives, and that an increase of this intercourse would bring only evil results for their nation. They regarded theirs as the Middle Kingdom and all the outlying nations of the world as vassal and tributary to their celestial emperor. Although the superior military power of the Western nations had been demonstrated at Canton and a few other places on the coast, it had hardly pierced the outer rim of the vast empire, and

the court at Peking was totally ignorant of the strength and progress of the outside world. Intrenched in the conviction of their intellectual and material superiority, the Chinese were still resolved to hold as little intercourse as possible with the treaty powers, and to interpret strictly in their favor the conventions which had been forced upon them.

Mr. Davis, who was the United States representative from 1848 to 1850, was mainly occupied with installing the consular officers at the treaty ports with the judicial functions with which they were clothed by the treaty of 1844, growing out of their exterritorial jurisdiction. His reports upon the subject to the Department of State were made the basis of the peculiar legislation of Congress respecting the judicial powers of consuls, which with subsequent amendments has continued to the present time.

The most noted event of his mission was an interview held with the imperial commissioner, which was the only one since the treaty of 1844, and it proved to be the last had by an American representative with the resident Canton high commissioner. In place of being held at the yamen or official residence of the commissioner in Canton or on board a man-of-war of the United States, as official etiquette required, it took place at a commercial warehouse in the suburbs of Canton. There was present at that interview as a subordinate official the afterwards celebrated Yeh, who bore such a conspicuous part in the troubles which led to the second British war.

Mr. Davis had been selected for the post because of

his prominence in domestic politics, having been a member of Congress for several years and speaker of the House. The concurrent testimony of contemporary writers is that he discharged his duties modestly and well, and left a reputation for intelligence, discretion, and devotion to duty. Upon the resignation of Mr. Davis, Dr. Parker, the secretary of legation, became chargé d'affaires.[1]

In 1852 Humphrey Marshall, of Kentucky, was commissioned and entered upon his duties as minister. The chief business which occupied his attention was in seeking to secure an interview with Yeh, who had been designated as high commissioner to transact affairs at Canton with the representatives of foreign governments. In answer to a request from Marshall for an interview, to place in his hands a letter from the President of the United States for transmission to the emperor, Yeh responded that he was too busy at that time to meet him, but that as soon as his pressing engagements would allow he would "select a felicitous day" on which to hold with the minister "a pleasant interview."

Mr. Marshall was quite indignant at the tone of Yeh's letter. He wrote the Secretary of State that "there was no probability that the 'felicitous day' will ever arrive;" that the French minister had been waiting at Macao fifteen months for a personal interview; and that he as the representative of the United

[1] MSS. Department of State, "China," 1848–50; S. Ex. Doc. 22, 35th Cong. 2d Sess. p. 299; N. A. Review, Oct. 1859, p. 482; Littell's Living Age, Oct. 1858, p. 384.

States was not only excluded from the imperial court at Peking, but, practically, from personal intercourse with the high commissioner at Canton. He decided to go to Shanghai and secure, if possible, the transmittal of the President's letter through E-liang, the viceroy of that province, and, failing in that, to proceed to Tien-tsin in a man-of-war and demand an audience of the emperor from that point.

After some delay he was courteously received by E-liang, who undertook to send the President's letter to the emperor, but who said he was not authorized to transact business with him. In due course a reply came from the emperor, not in the form of a letter to the President, as courtesy required, but in a communication to the viceroy. The receipt of the President's letter was acknowledged, and the minister was informed that it was not necessary for him to come to Peking, as Commissioner Yeh was fully empowered to dispatch all public business with him. This reply made him the more desirous to proceed to the Peiho.

But another obstacle stood in the way of the execution of this plan; the commander of the American squadron on the Asiatic station seemed unwilling to support him. Commodore Aulick had not found it convenient to furnish Marshall with a naval vessel to transport him to Shanghai at the time desired, and when Commodore Perry, who succeeded Aulick, arrived at that place, he declined to yield to the minister's request for a ship to bear him to the Peiho, whence he proposed to make a demand backed by the presence of the man-of-war for an audience of his imperial majesty

at Peking. Perry had nearest at heart his mission to Japan, and besides he gave Marshall plainly to understand that he regarded the latter's scheme of a demonstration at the Peiho as chimerical and unwise.

This expression of opinion on the part of the commodore led Marshall to suggest ironically to the Secretary of State "the propriety of managing diplomatic relations with foreign countries through the instrumentality alone of the commodores of the navy, whose education and habits fit them peculiarly for the discussion of questions of international law!" He also had his retort for the commodore's opinion of his Peiho project by referring to "the shadowy future which may be enveloped within 'the peaceful expedition' to Japan." Subsequent events, however, established the correctness of the naval diplomat's judgment in both matters.

The subject of the proper relation between the diplomatic and naval officials of the government has been much discussed and has occasioned many unpleasant incidents not only in the service of the United States, but in that of Great Britain and other powers. Mr. Marshall's altercations with Aulick and Perry led to the issuance of specific instructions on the subject by the Department of State. Secretary Marcy, in writing to Mr. McLane, who succeeded Mr. Marshall in the Chinese mission, furnished him with a copy of the instructions given by the Secretary of the Navy to Commodore Perry, in which the latter was directed to render the minister such assistance as the exigencies of the public interest might require. But, he added,

"the President does not propose to subject him to your control, but he expects that you and he will coöperate together whenever, in the judgment of both, the interests of the United States indicate the necessity or the advantage of such coöperation." This in substance has been embodied in the instructions to diplomatic and naval officers, and this well-defined relation has in recent years prevented trouble and misunderstanding.

Mr. Marshall spent some time at Shanghai, where he found abundant occupation in the commercial troubles growing out of what is known as the Taiping Rebellion, in restraining Americans from taking part in it by rendering personal service or material aid to one or the other of the belligerents, and in repressing the lawlessness of deserting American seamen and adventurers. During his mission this revolt against the imperial government reached its highest point. Beginning in 1850, it had by 1853 swept over and occupied the provinces south of the Yang-tse-Kiang, except the open ports, had captured the Chinese city of Shanghai and the ancient capital Nankin, had crossed the great river, was threatening Tientsin, and even Peking was in danger of falling into rebel hands. It constitutes one of the most extensive, bloody, and curious insurrections in the annals of time. It threatened the existence of the oldest and most populous empire of the world; it is estimated that twenty millions of lives were sacrificed by it; and it had its origin in the vagaries of a dreaming enthusiast who claimed to base his movement upon the principles of Christianity.

A narrative of its events does not fall within the

province of this work, but it had such relations to American citizens and their interests, and engaged to such an extent the attention of the representatives of the United States, that it cannot be passed over without some notice. The leader of the rebellion, when a young man attending the literary examinations at Canton, had had his attention attracted to Christianity by the preaching and tract circulation of native Protestant converts. Some years later he put himself under the instruction of Rev. J. J. Roberts, an American Baptist missionary, at whose hands he sought baptism and admission into the church, which were refused. He returned to his native village and claimed that he had visions and revelations from heaven and that he was the younger brother of Jesus Christ.

He proclaimed a mission to destroy idolatry and overthrow the Manchu dynasty. The country seemed ripe for revolt, and unexpected success attended the early movements against the local authorities. Success brought adherents from the disaffected and the lawless, and within three years more than half of the populous part of the empire was in control of the revolutionists, and the dynasty seemed doomed to destruction. At first the missionaries and the Christian world hailed the movement as the dawning of a new and better era for the Chinese. But upon further information it became apparent that the principles proclaimed and the practices observed were a gross travesty of Christianity, and that the leader and his chiefs had abandoned themselves to all the vice and licentiousness of an oriental court.

After the fall of Nankin, Mr. Roberts was invited by

the chief to come to his court and give his counsel to the new government. Minister Marshall, whom he consulted, told him that it was hardly consistent with his neutral status as an American citizen to respond to the call. Notwithstanding this advice, Mr. Roberts repaired to the camp of the insurgents at Nankin, but a short stay convinced him that they were not controlled by the spirit or principles of Christianity. The leader had so surrounded himself with the august ceremonials of his exalted position that Mr. Roberts was not permitted to see him, and he returned to his post of duty at Canton disappointed and disgusted with the movement.

By the middle of the year 1853 the rebellion had assumed such proportions as to warrant the assumption that it might become the *de facto* government of the empire, and Mr. Marshall's successor, Mr. McLane, was authorized in his discretion to recognize it as such, if on his arrival the situation justified such a course. Soon after he reached Shanghai, he made a visit in a naval vessel to the headquarters of the Taiping leader in order to study personally the state and spirit of the movement. After some difficulty in making his approach to Nankin, Mr. McLane was able to communicate his arrival and his desire to meet the official charged with foreign intercourse. His action was interpreted as an approach to do homage to the government of the rebellion, and the minister of state sent him a long reply couched in a haughty tone of superiority, in which he said: —

"If you do indeed respect Heaven and recognize the Sovereign, then our celestial court, viewing all under

Heaven as one family, and uniting all nations as one body, will most assuredly regard your faithful purpose and permit you year by year to bring tribute and annually come to pay court to the Celestial Kingdom, forever bathing yourself in the gracious streams of the celestial dynasty, peacefully residing in your own lands, and living quietly enjoying great glory."

The comment of Mr. McLane upon the correspondence was that, "Whatever may have been the hopes of the enlightened and civilized nations of the earth, in regard to this movement, it is now apparent that they neither profess nor apprehend Christianity, and whatever may be the true judgment to form of their political power, it can no longer be doubted that intercourse cannot be established or maintained on terms of equality." He sent the Secretary of State a full account of his visit, which constitutes one of the most interesting contributions to the voluminous literature on the Taiping Rebellion.

The civil war was maintained with varying fortunes until 1864, when Nankin was recaptured by the imperial forces and the insurrection suddenly collapsed. Dr. Martin, who was a resident of the country during the entire movement, says that it would have succeeded but for the foreign intervention in favor of the imperial cause. The American government and its representatives sought to maintain an attitude of strict neutrality, but the sentiments of all the American ministers were on the side of the established government, and the French and English authorities at a critical period rendered it open support. Dr. Martin is authority for

the statement that after the occupation of Peking in 1860 by the allies, the emperor having fled to Tartary, Lord Elgin, the British representative, thought seriously of opening negotiations with the insurgent chief, but was deterred by the opposition of Baron Gros, the French envoy, who, adopting the views of the French missionaries, was prejudiced against the insurgents because their religion was reported to be of a Protestant type.[1]

Among the foreigners who lent their services to the imperial cause during this rebellion was an American, General Frederick T. Ward, born in Salem, Massachusetts. He organized, equipped, and drilled a body of Chinese troops, officered by Americans and Europeans. His successes were so great that his corps became known as "The Ever Victorious Army," and its influence was decisive in changing the entire aspect of the contest. In the height of his career he was mortally wounded while leading an attack upon a Taiping fortress. His fame has been somewhat eclipsed by that of Colonel Gordon, of the British army, who at his death succeeded to the command of his corps and carried forward to

[1] For the views and reports of American ministers — Marshall, H. Ex. Doc. 123, 33d Cong. 1st Sess. pp. 142, 184, 203, 265; McLane, S. Ex. Doc. 22, 35th Cong. 2d Sess. pp. 47–111; S. Ex. Doc. 39, 36th Cong. 1st Sess. p. 3; The Taiping Rebellion, by A. Egmont Hake, London, 1891; The Chinese Revolution, by Charles Macfarlane, London, 1853; L'Insurrection en Chine, Callery & Yvan, Paris, 1853, translation, London, 1853; Martin's Cycle of Cathay, pt. i. chap. ix.; Williams's Hist. China, chap. v.; A Short History of China, by D. C. Boulger, London, 1893, chap. xx.; China, by R. K. Douglas, London and New York, 1899, chap. xi.; Nevius's China, chap. xxvi.; N. A. Rev. July, 1854, p. 158.

ultimate success the movement which had been organized by the daring and skill of Ward.[1]

Recurring to Minister Marshall's services, it is to be noted that after remaining several months at Shanghai, he returned to Canton, and again applied to Yeh for an interview, was again met by an excuse and a declination, and finally left China without once having met this official specially designated by the emperor to treat with the foreign ministers. When in January, 1854, he announced to Yeh his intention to return home, the latter replied with perfect nonchalance, "I avail myself of the occasion to present my compliments, and trust that, of late, your blessings have been increasingly tranquil."

A party change in the administration at Washington brought about Mr. Marshall's recall. His service in China covered a period of great interest and disorder in that empire, and, although on this account he was unable to accomplish much to advance the interests of his country, he conducted its affairs with ability and credit to himself and his government. He was a ready and able writer, and his voluminous correspondence with the Department of State, which has been published, furnishes very interesting and profitable reading on Chinese affairs.[2]

Upon the accession of Mr. Pierce to the presidency in 1853, he nominated and commissioned as minister to China Robert M. McLane, of Maryland, who was one

[1] S. Ex. Doc. 34, 37th Cong. 3d Sess. 1, 3 ; Hake's Taiping Rebellion, 190 ; Martin's Cathay, 139.

[2] H. Ex. Doc. 123, 33d Cong. 1st Sess. ; S. Ex. Doc. 39, 36th Cong. 1st Sess. p. 3 ; N. A. Review, Oct. 1859, p. 483 ; Littell's Living Age, Oct. 1858, p. 384.

of the most accomplished diplomatic representatives of the United States and had a long public career. In order that he might not be subjected to the embarrassments encountered by Mr. Marshall, the naval commander on the Asiatic station was instructed to place a national vessel at his disposal, and in such other ways as was possible to second his efforts.

He arrived at Hongkong in March, 1854, where he met his first disappointment, which unfortunately was only the beginning of a series which attended him throughout his mission. Anticipating his arrival, Dr. Parker, the faithful secretary and chargé of the legation at Canton, had addressed the imperial high commissioner, Yeh, informing him of the date of arrival of the new minister, and stating that he would desire a personal interview to deliver the letter of the President addressed to the emperor. Yeh treated this request in the same manner as that made by Mr. Marshall. In his reply, after expressing his delight at learning of Mr. McLane's arrival, he announced that he was very busy and said, "Suffer me then to wait for a little leisure, when I will make selection of a propitious day, that we may have a pleasant meeting."

Mr. McLane was no less indignant than his predecessor on the receipt of this "impertinent, if not insolent" communication, as he termed it, and determined to make no further application for an interview, but to send Yeh a reply and "rebuke him for his discourtesy and incivility." In forwarding a copy to Washington he expressed the hope that Secretary Marcy would "find it sufficiently pointed," as it assuredly was.

There seemed nothing left for him to do but to pursue much the same course of conduct as his predecessor. Commodore Perry having placed at his disposal the Susquehanna, one of the newest and best vessels of the navy, he proceeded in her to the port of Shanghai. He found the state of affairs there even worse than on Mr. Marshall's visit the previous year. The imperialists and Taipings were confronting each other in and around the foreign settlement. The Chinese city of Shanghai had been captured by the rebels, and only the presence of the American, British, and French war vessels prevented the foreign settlement from being occupied by them. The foreign merchants had refused to pay duties to the imperial government on the goods imported which it could not protect, and it was reported that the merchants were taking advantage of the disordered situation to import large cargoes without duty.

While at Shanghai Mr. McLane put himself in communication with the viceroy E-liang, whose headquarters were in the interior of the province, and was granted an interview by him. Like Mr. Marshall, he was much pleased with the reception accorded him, but in the real business sought to be dispatched he was similarly unsuccessful, and he declined under the circumstances to intrust the President's letter to the hands of the viceroy for transmission to the emperor.

After a stay of four months he returned to Hongkong. Here he conferred with Sir John Bowring, the British governor, whom he found in the same state of mind as himself respecting Commissioner Yeh. During

Mr. McLane's absence at Shanghai the governor had sought to approach Yeh upon the subject of a revision of the treaties, with a view to remedying the defects which had been developed in those in force, and had been met by evasion and a refusal to act. Mr. McLane also conferred with the French minister, and the three foreign representatives decided to act in concert in bringing pressure to bear upon the Chinese government to satisfy the existing grievances, and in so acting the American minister was conforming to the spirit of his instructions from the Secretary of State.

It was determined that if negotiations could not be opened at Shanghai with a properly authorized representative of the emperor, they would jointly go to the mouth of the Peiho in men-of-war of their respective nations, and there renew their demands on the imperial court. And of this resolution they separately served notice on Commissioner Yeh at Canton.

The three envoys arrived at Shanghai during the month of September, 1854, and remained for a few weeks hoping that they might be advised of the dispatch from Peking of plenipotentiaries empowered to open negotiations, but they were disappointed. In accordance with their plans, Sir John Bowring, Mr. McLane, and the French secretary of legation reached the Peiho October 15, the French minister being detained at Shanghai by an accident.

On their arrival they found that no steps had been taken to send plenipotentiaries to meet them. After some time consumed in conferences with the local authorities and weeks lost in waiting, a commissioner

from the emperor finally arrived. He arranged to receive the foreign envoys on the muddy banks of the river in a miserable tent badly adapted for the purpose. It was a shameful disregard of the courtesies so usual with Chinese officials, and could only be interpreted as a studied affront to the foreigners who had made themselves unwelcome guests.

When the conference was opened, the Chinese plenipotentiary confessed that he had no full powers or authority to negotiate, and could only hear what the foreign representatives had to say. Their object was to secure a revision of the treaties, and they all rested their claim upon a clause in the American treaty of 1844 which reads as follows: —

"Inasmuch as the circumstances of the several ports of China open to foreign commerce are different, experience may show that inconsiderable modifications are requisite in those ports which relate to commerce and navigation; in which case the two governments will, at the expiration of twelve years from the date of said convention, treat amicably concerning the same, by the means of suitable persons appointed to conduct such negotiations."

While the Chinese plenipotentiary stated that he had no authority to negotiate, he took pains to inform the British representative that he could not claim the right to have his treaty revised because the American treaty contained the clause cited; and he replied to Mr. McLane that "the inconsiderable modifications" referred to did not justify the revision for which he contended. This was an answer worthy to emanate

from officials more experienced than the Chinese in diplomacy, and which could not be well gainsaid from the standpoint of international law. The result of the conference was a failure, as it was not possible for the ships to remain at that stormy season of the year until an answer to the demands of the envoys could be received from Peking, and no assurance was given that these demands would be laid before the emperor. Nothing was left for the representatives but to leave the inhospitable shores of the Peiho and return to safer anchorage and more genial climate at Shanghai and Hongkong.

From Shanghai Mr. McLane sent full details of the events at the Peiho to the Secretary of State and gave a review of his futile efforts since his arrival in China to lay before the authorities at Peking the complaints of his government. He then submitted a recommendation that the President embody in a letter to the emperor the complaints which he had formulated and the changes desired in the treaty; and that this letter be confided to a commissioner "supported by the presence of the United States naval forces in the Chinese seas, precisely as the letter of the President was delivered to the emperor of Japan." He reported that the British and French ministers had recommended that a more decisive policy should be initiated, and it was to be hoped that harmonious action would continue to be maintained between the three governments. In a later dispatch he continued to urge a new and a more positive, "perhaps an aggressive, policy" on the part of the Western nations towards China.

The ten months which Mr. McLane had passed in his active but vexatious duties had been very trying, and exposure at Canton to the heat and malaria of the tropics had brought on a fever, which so seriously affected his health as to make it necessary for him to ask for a leave of absence. Before taking his departure, however, he was enabled to bring to a conclusion a matter which had greatly troubled the American merchants at Shanghai. Mr. Marshall had decided that they should pay to the imperial government the duties uncollected and suspended during the paralysis of authority while the rebels were attacking Shanghai. On the arrival of the new minister a fresh representation was made to him, with an agreement to abide by his award. Mr. McLane decided that a considerable amount of the sum in controversy should be paid to the Chinese government, and it was accordingly done, although the British merchants successfully resisted a similar demand upon them. It is greatly to the credit of the American minister's impartial rectitude that, in the midst of his disappointment and ill treatment by the authorities, he should have rendered a decision so favorable to China; and it is likewise to the credit of the American merchants that they should have observed their obligations when those of other nationalities refused.

In December, 1854, the legation was again intrusted to Dr. Parker as chargé, and Mr. McLane left his post on sick leave. On his arrival at Paris he tendered his resignation of a mission which had proved so unsatis-

factory in its results,[1] and returned to the United States to receive new honors at home and to hold later the missions to Mexico and Paris.

Dr. Parker conducted the affairs of the legation for several months under very perplexing conditions. The Taiping rebels were threatening Canton and the other treaty ports. In the impotent state of the imperial government, pirates multiplied, infested the coasts, and imperiled foreign commerce in the treaty ports. In the consequent disorganization of trade, smuggling greatly increased, and a ready market was found for warlike supplies. Both Ministers Marshall and McLane had issued proclamations enjoining strict neutrality upon Americans, and Dr. Parker exerted himself to enforce these orders. He found that the American flag was being abused through the negligence or bad faith of consuls by its illegal transfer to Chinese or other foreign vessels. The shipping and registry regulations of Great Britain made easy the transfer of its flag to such vessels, which was forbidden under American law; and except through the connivance of consuls in authorizing registry, American shipping was placed at a disadvantage in these times of disorder. Claims by Americans for injury to their property or business or for non-observance of their treaty rights, were also accumulating, and the authorities were badly situated or indisposed to give them satisfaction.

Twenty years' residence in China and the onerous labors of his position so impaired his health that Dr.

[1] For details of McLane's mission, S. Ex. Doc. 22, 35th Cong. 2d Sess.; S. Ex. Doc. 39, 36th Cong. 1st Sess.; N. A. Review, Oct. 1859, pp. 487–504.

Parker found it necessary to ask for a leave of absence, and in May, 1855, he made a visit to the United States. His intercourse with the authorities at Washington so favorably impressed them with his intimate acquaintance with Chinese affairs and with his ability, that, discarding the prevailing rule of party preferment, he was nominated full commissioner to China.

He returned to his post through Europe, and held interviews in London and in Paris with the British and French ministers for foreign affairs, in which there was a free exchange of views as to the policy to be pursued in China by the three maritime powers, and an informal agreement reached that there should be co-operation and harmony of action. Full reports of these interviews were sent by him to the Secretary of State, by whom his action was commended.

On his arrival at Canton in January, 1856, Dr. Parker notified Yeh of his appointment as commissioner and that he desired a personal interview to deliver for transmission a letter from the President to the emperor. To this application Yeh returned his stereotyped reply that he was then too busy to grant the interview. After conferring with his British and French colleagues and determining upon uniform action for a revision of the treaties, he again asked Yeh for an interview, and being again refused, the amiable and usually even-tempered minister could restrain his indignation no longer. He addressed Yeh a communication reviewing the latter's conduct towards his predecessors, who had in vain sought for interviews on important business, and stated "that so sure as there is a sun in

heaven, so certainly is it that the day is near when it will be endured no longer." He then gave him notice of his intention to proceed to Peking for the purpose of obtaining a revision of the treaty of 1844 and a redress of the accumulated grievances. Similar notices were given by the British and French representatives.

But the doctor was no more successful than Messrs. Marshall and McLane in the execution of his indignant resolution. He was delayed some time by the absence of a naval vessel in reaching Shanghai. There his hopes were raised by the promise of the local Chinese authorities that they would bring about the opening of negotiations. This promise was only made to be broken, and then the season was too far advanced to go to the Peiho; besides, an adequate naval force was not at hand for the purpose.

The chief result of his visit to the north was the reception of an additional indignity to his government. On his resentment of Yeh's incivility Dr. Parker had declined his offer to receive the President's letter, and at Amoy he accepted the promise of the viceroy of that province to transmit it. While at Shanghai the letter was returned to him from Peking, with a statement that it could only be received through the high commissioner, Yeh, specially delegated by the emperor to deal with foreign affairs. But when the autograph letter of President Pierce addressed to the emperor was redelivered to Dr. Parker the seals were broken.[1]

When he reached Hongkong on his return from

[1] S. Ex. Doc. 22, 35th Cong. 2d Sess. pp. 495–984; Martin's Cathay, 146.

Shanghai in November, 1856, he found that British patience with the Chinese authorities had been exhausted, and that a state of flagrant war existed. The forts which guarded the city of Canton had been captured, and the city itself had been bombarded and entered by the British forces.

The immediate event which brought on this second war of Great Britain against China was the boarding of the lorcha[1] Arrow in front of Canton by marines from a Chinese war vessel, the seizing and carrying away of the crew on charge of piracy, and hauling down the British flag. The vessel was built and owned by a Chinese, but had been registered as British and was carrying the British flag. The term of registry had, however, expired several days before the seizure and had not been renewed.

Sir John Bowring,[2] the governor of Hongkong and diplomatic representative of Great Britain, made a demand for the return of the seized sailors, an apology for the act, and an assurance that the British flag should be respected in future. Yeh ordered the release of the sailors, although he stated that an investigation proved nine of them to be guilty of piracy, but he declined to make the apology demanded because he claimed the

[1] Lorcha — a Portuguese term for a fast-sailing schooner.

[2] Sir John Bowring, who was the active agent in bringing on the war, was a noted man of his time, possessed of various accomplishments. He was of peaceful inclinations, but of an impulsive temperament; a pupil and the literary executor of Jeremy Bentham; for several years a member of Parliament and an authority on commercial subjects; of literary tastes, a linguist having a mastery of more than forty languages; and a poet and hymnologist, best known as the author of the hymns "In the Cross of Christ I glory," and "Watchman, tell us of the Night."

vessel was not a British ship. The governor's contention was that although her registry had expired, she was entitled to protection; besides, the Chinese did not know of the expiry of the registry, and hence that the act was none the less an outrage on the flag. Yeh was obstinate in his refusal, and war followed.

The views of British statesmen and historians differ greatly as to the merits of the war, but there is a general concurrence of sentiment that the affair of the Arrow was not of itself a sufficient justification for hostilities. The matter is well stated by Lord Elgin in his report to his government: "I think I have given to the Arrow case as much prominence as it deserves, when I represent it as the drop which has caused the cup to overflow." But in his private journal he frankly refers to "that wretched question of the Arrow, which is a scandal to us, and is so considered, I have reason to know, by all except the few who are personally compromised. It was merely the culmination of a series of acts on the part of the Chinese which brought on the hostilities, and was not of itself a just cause of war."[1] The origin of the "series of acts" referred to may, in most cases, be found in the extensive system of smuggling of the East India Company's opium.

Although the government of the United States did not think proper to follow the example of Great

[1] For official reports relative to Arrow War see various British Parliamentary Blue Books, "China," 1856–60; 3 McCarthy's Hist. chaps. xxx. and xlii.; Boulger's Hist. chap. xix.; Douglas's China, chap. ix.; Williams's Hist. chap. vi.; Martin's Cathay, pt. i. chap. x.; Nevius's China, 301–12; N. A. Review, January, 1860, p. 125; S. Ex. Doc. 22, 35th Cong. 2d Sess. 984.

Britain in its hostile action, it is to be noted that its successive ministers, who were subjected to the insolence of Yeh and the indifference of the Chinese government to their repeated representations, expressed to their government the conviction that the only way to secure respect and justice from the Chinese was by a manifestation of force. Mr. Marshall wrote the Secretary of State that "the Chinese government . . . concedes justice only in the presence of a force able and willing to exact it." Mr. McLane, referring to his troubles with Yeh, reported that "diplomatic intercourse can only be had with this government at the cannon's mouth." The peaceful Dr. Parker was so aroused by the many indignities shown to his government that he strongly favored an alliance of the United States with Great Britain in the war.[1]

Following close upon the affair of the lorcha Arrow, an event occurred which for the moment seemed destined to bring the United States into a union with Great Britain in the war upon which it had entered. While proceeding in a boat from the United States squadron in the lower river to Canton, Captain Foote was fired upon from the Chinese forts, and the day after a surveying party from the squadron was also fired upon and one of its members killed. In both instances the American flag was prominently displayed. For these acts Commodore Armstrong determined upon summary punishment. November 16, 1856, the day of the second firing on the flag, he sent the Portsmouth,

[1] H. Ex. Doc. 123, 33d Cong. 1st Sess. 11; S. Ex. Doc. 22 (cited), 22, 1083.

under command of Captain Foote, afterwards distinguished in the Civil War, to attack the forts from which the firing on the boats had occurred, and they were soon silenced.

On the next day the commodore addressed a note to Commissioner Yeh, demanding an explanation and a suitable apology within twenty-four hours. Before the time had expired, however, seeing active work progressing towards the restoration of the damaged forts, the commodore ordered another attack, and the forts were taken by assault and destroyed. Seven Americans were killed and twenty-two wounded, while the loss of the Chinese was reported at three hundred. A communication from Yeh was received before the second attack was made, but it proved to be of an unsatisfactory nature; and further correspondence followed. Yeh claimed that, in view of the hostilities conducted by the British at and in the vicinity of Canton, boats of other nationalities ought to keep away from the scene of war, and that mistakes as to flags would not then occur. But the severe punishment which had been inflicted upon the Chinese forts did not seem to have given him much offense, for he finally wrote the commodore, "There is no matter of strife between our two nations. Henceforth let the fashion of the flag which American ships employ be clearly defined, and inform me what it is beforehand. This will be a verification of the friendly relations between our countries." Of such little importance was the affair in the mind of this oriental dignitary.

Yeh's letter ended the correspondence, and the attack of the American navy on the Barrier forts was a

closed incident. It was the only act of warlike violence by American authorities on the Chinese till a half century afterwards, when a division of the army of the United States marched to the relief of its beleaguered minister and citizens at Peking. Such a prompt and peaceful settlement was a disappointment to the British, as they earnestly desired the coöperation of the United States in the campaign which they were preparing against the Chinese.[1]

The government at Washington saw no occasion to give further attention to the engagement between the navy and the Barrier forts, but certain occurrences in connection with the bombardment of Canton by the British seemed to call for further inquiry. The press accounts of that affair reported that the American consuls at Canton and Hongkong were both present at the assault and participated in it, and that the latter headed a body of United States marines carrying the American flag. The charge was likewise made by Commissioner Yeh. Secretary Marcy strongly condemned any violation of the neutral attitude of the United States, and ordered Minister Parker to make a thorough investigation, authorizing him, in case the charge against the consul at Hongkong was well founded, to remove the latter from his post.

The consul at Canton in his official report says that on entering the city half an hour after the walls were carried, "I found the English in full possession of the place — the officers, the soldiers, and the sailors helping

[1] S. Ex. Doc. 22 (cited), 1020, 1042 ; N. A. Review, Oct. 1859, p. 512 ; Harper's Mag. Oct. 1898, p. 741.

themselves to what they pleased. I met his excellency, Admiral Seymour, within the palace, who kindly gave me permission to take a few articles as mementos of the occurrence of the day." It seems that looting of Chinese palaces was practiced long before the occupation of Peking in the year 1900, and that the practice was demoralizing to even a neutral consul. Both he and the consul at Hongkong protested their innocence of any violation of their neutral duties, alleging that their presence was induced merely by curiosity, and the latter stoutly denied that he was responsible for the presence of the American flag. It appears that the national emblem was within the walls and in the hands of an American marine, but not authorized by any officer of the government. The investigation failed to establish any violation of neutral duty, but showed that the sympathies of the American colony were plainly with their kinsmen.[1]

The British preparations for the campaign which had been resolved upon, to bring the Chinese government to terms respecting a revision of the treaties and a redress of grievances, was delayed for a full year, on account of the Sepoy revolt in India. In the mean time the foreign factories (mercantile establishments) at Canton were destroyed by fire, and commerce was suspended. Dr. Parker was busily occupied in his efforts to protect American interests in this time of disorder, and in seeking to induce the Chinese authorities to give attention and satisfaction to American demands. He felt that the British were pursuing the only policy

[1] S. Ex. Doc. 22 (cited), 1048, 1319, 1383; N. A. Rev. Oct. 1859, pp. 508–11.

which would bring the imperial government to terms, and he strongly recommended to the Secretary of State that the United States should coöperate with the allies in the policy determined upon, France having definitely resolved to participate with Great Britain in the proposed military expedition. Dr. Parker suggested that an active campaign might be avoided, and China brought to accept the demands of the powers by the temporary occupation by them of different portions of territory. His plan was that France should take possession of Korea, Great Britain of Chusan, and the United States of the island of Formosa, and hold them as hostages till a satisfactory settlement of all questions was attained. At this day such a scheme seems quite visionary and impracticable, but it was known to Parker that only three years before Commodore Perry had made a similar recommendation respecting the Lew Chew Islands in connection with the Japanese negotiations.

But such schemes did not in any way harmonize with the peaceful policy at Washington. Not even could the daring act of the navy in destroying the Barrier forts to avenge the insults to the flag disturb the equanimity of the government. Secretary Marcy wrote Dr. Parker that the President very much doubted whether there was sufficient justification for such a severe measure, and thus stated his views: "The British government evidently have objects beyond those contemplated by the United States, and we ought not to be drawn along with it, however anxious it may be for our coöperation. The President sincerely hopes that you, as well as our naval commander, will be able

to do all that is required for the defense of American citizens and the protection of their property, without being included in the British quarrel, or producing any serious disturbance in our amicable relations with China." Such instructions were so contrary to the views of the minister that it was well that their execution should be intrusted to a new representative.

A change of administration had occurred on March 4, 1857, and a month later a new minister to China was appointed. This action was not taken because of any dissatisfaction with the incumbent, but it appears to have been brought about by the exigencies of domestic politics.[1] Dr. Parker retired from his post in August, and returned to the United States, thus ending a long and useful career in China. He made his residence in Washington up to the time of his death in 1888, and was active in scientific and religious circles. Hon. Hugh McCulloch, secretary of the treasury under three presidents, who enjoyed his society and friendship in these later years, says: "No man can look back upon a long life with greater satisfaction than Dr. Parker. No foreigner had better opportunities than he of becoming acquainted with the Chinese, their habits, and the character of their government; and no one could have used these opportunities to greater advantage, both to China and to the United States."[2]

[1] S. Ex. Doc. 22 (cited), 1083–1278; S. Ex. Doc. 30, 36th Cong. 1st Sess. p. 3. In giving his instructions to the new minister, the Secretary of State wrote: "This change is not intended to cause the slightest censure upon him [Parker]. He has discharged his duties with zeal and fidelity, and is entitled to the thanks of the government."

[2] Martin's Cathay, 27; Speer's China, 421; Littell's Living Age, Oct.

The successor of Dr. Parker, William B. Reed, of Pennsylvania, secured his appointment mainly because of political considerations, having supported the election of Mr. Buchanan to the presidency, although of the opposite party. He was, however, a lawyer of considerable prominence, and proved in most respects fitted for his difficult duties. The title of the American representative in China had heretofore been that of commissioner, — a somewhat anomalous grade in diplomacy. In order to give Mr. Reed all the dignity and influence which might accrue from his rank, he was commissioned as envoy extraordinary and minister plenipotentiary.

In view of the threatening state of affairs in China, with England and France joined in hostilities against the empire, his instructions were prepared with much care, and set forth the attitude of the United States with precision. The objects which it was understood the allies had in view were enumerated, and stated to be in accord with those desired by the United States. These were, first, the residence of foreign ministers at Peking, reception by the emperor, and intercourse with an accredited ministry of foreign affairs; second, an extension of commercial intercourse and a better regulation of the internal tariff on imports; third, religious freedom for foreigners; and fourth, measures for better observance of treaty stipulations. The minister was directed to coöperate by peaceful means with England and France to secure these ends, but to confine his efforts to firm representations and appeals to the justice

1859, p. 384; Men and Measures of Half a Century, by H. McCulloch, New York, 1888, p. 265.

and policy of the Chinese authorities. He was reminded that his country was not at war with China, and sought only to enter that empire for lawful commerce.

With these instructions was inclosed a copy of correspondence had with the British government, in response to an invitation of the allies to join in their hostile expedition. In it attention was called to the fact that the executive branch of the government of the United States was not the war-making power, that military expeditions into Chinese territory could not be undertaken without the authority of Congress, and that the relations of the United States with that country, in the judgment of the President, did not then warrant a resort to war. The policy of the United States was one of peace; it had no political views connected with that empire; and, owing to the difference in manners and traits of national character, true wisdom seemed to dictate moderation, discretion, and the work of time in the attempts to open China to trade and intercourse.

When Mr. Reed arrived in Hongkong, November, 1857, he found the allies almost ready to begin hostile operations. Lord Elgin, — a British statesman of noble family and large political experience, — returning from a successful term as governor-general of Canada, had been assigned by his government to the political management of the campaign, and with him was associated as the French representative Baron Gros, a diplomat of high reputation. Upon making known to the allies the tenor of his instructions, Mr. Reed reports their surprise and disappointment, as they had been "encouraged in the most extravagant expectation of coöperation on our

part, to the extent even of acquisition of territory," and that the English were especially "irritable . . . at their inability to involve the United States in their unworthy quarrel." But he states later that Lord Elgin had not at that time been informed of the character of the reply to the invitation to join the allies, and that after its receipt their relations were more cordial.

The first duty of Mr. Reed was to seek an interview with the imperial commissioner Yeh and make an effort to open negotiations for treaty revision; but he was doomed to the fate of his predecessors. This polite but obstinate official, "on hearing that an officer of the highest fame and reputation with such kindly feelings" had reached China, "was extremely desirous of having an interview," but since the destruction of the suburbs by the British "there is really no place where to hold it." As to negotiations, there was no occasion for them, as the existing treaty was satisfactory and beneficial, and did not require alteration. Thus the minister was informed that the especially designated diplomatic representative of the emperor could not meet him, nor would he consider with him the business of his mission.

The blow which the allies had been preparing fell upon Canton in December, 1857. It was a second time captured and sacked. Yeh was made a prisoner and sent to Calcutta, where he died within a few weeks after his arrival. This official had established an unenviable reputation for incivility, obduracy, and hatred of foreigners, and upon him had been placed the responsibility for the unsatisfactory condition of international relations. But at the capture of Canton the documents

which fell into the hands of the allies revealed the fact that his conduct had been directed from Peking, and that the imperial court was responsible for his refusal to open negotiations for treaty revision or the redress of grievances. Among those documents were also found the Chinese originals of the British, American, and French treaties of 1842 and 1844, and from this fact it was inferred that they had never been sent to Peking nor their terms known to the emperor; but this was afterwards shown to be incorrect, as they had been officially published by the court.

After the fall of Canton, the allies announced a disposition to forego further hostile operations, if the Chinese government would appoint plenipotentiaries and open negotiations for a revision of the treaties. Meanwhile a Russian minister had reached Hongkong, after an unsuccessful effort to communicate with the emperor by way of the Peiho. His instructions were similar to those of the United States minister, — to press negotiations upon the Chinese, but by peaceful methods only. Mr. Reed, after his cavalier treatment by Yeh, and after a brief experience in Chinese affairs, was led to the same conviction as his predecessors, — that only coercive measures would be effective in bringing the imperial government to terms. In his review of the situation to the Secretary of State he said: "I do not hesitate to say that a new policy towards China ought to be . . . initiated, and that the powers of Western civilization must insist on what they know to be their rights, and give up the dream of dealing with China as a power to which any ordinary rules apply." And a

month later he wrote that nothing short of an actual approach to Peking "with a decisive tone and available force" would produce a result. Referring to the peaceful attitude of the United States, he adds: "Steadfast neutrality and consistent friendship make no impression on the isolated obduracy of this empire."

In this frame of mind the American minister found no difficulty in uniting with the British and French representatives in identic notes to Peking, in which a request was made for the appointment of plenipotentiaries to meet the foreign representatives at Shanghai to negotiate for a revision of the treaties, with a notice that if such action was not taken, they would feel it their duty to approach still nearer to the capital to press their demand. The Russian minister likewise took the same course.

Mr. Reed informed the Secretary of State that, in case of refusal to negotiate at Shanghai, the powers would jointly proceed to the mouth of the Peiho. "This," he says, "will be made the most imposing appeal that has ever been addressed by the Western powers to the sense of justice and policy of the Imperial court." He then submits for the consideration of the President "the possible alternative of a persistent and contemptuous refusal to entertain any friendly proposition to afford redress for injuries, or to revise the treaty;" and he asks to be invested with power to exercise the necessary coercion to bring the court to terms. Secretary Cass replied approving of the minister's course in joining with the powers in their representations to Peking, but he again refers to his instructions, and states that,

although the United States has serious cause of complaint against China, it has not been thought wise to seek redress by a resort to arms. This alternative may yet be forced upon us, he says; but when the exigency comes, the President will have to ask Congress for authority, and he was not then prepared to make such request.

In accordance with their agreement the foreign envoys met at Shanghai in April, 1858, and there received the answer from Peking, denying their right to have direct communication with the court and referring them to the commissioner at Canton who had been appointed to succeed Yeh. Mr. Reed characterized this reply as similar to those given by Yeh; "the same unmeaning profession, the same dexterous sophistry; and, what is more material, the same passive resistance; the same stolid refusal to yield any point of substance." The envoys, therefore, lost no time in carrying out their resolution to proceed to the Peiho, in order to reach there early in the season.

The British and French envoys were accompanied by the fleets and forces which had participated in the warlike operations against Canton, but the American and Russian ministers went, each in a single vessel. Mr. Reed advised the Secretary that "if hostilities recommence, obeying the spirit and letter of my instructions, I shall continue a passive spectator," waiting instructions from home. He reported that the Russian minister, also, had "positive instructions to abstain strictly from any measures of hostility, except in case of extremity."

On the arrival of the envoys at the mouth of the Peiho, they found no one authorized to open negotiations, and the four ministers sent identic notes to Peking, asking for the appointment within six days of plenipotentiaries. Before the expiration of the period named, a notice was received by all the envoys that a special commissioner had been appointed by the emperor to open negotiations and that he was ready to meet them. The communications were not properly addressed, and the British and French refused to receive them, but the American minister, treating the one received by him as a clerical error, sent it back for correction, which was readily made. He and the Russian minister proceeded to open negotiations with the Chinese commissioner, but the British and French, finding that he did not possess "full powers" to make a treaty, but only to negotiate and report the result of his action to Peking, declined to treat with him. They maintained that the appointment was in line with the past policy of evasion and delay, and the documents which had been captured at Canton seemed to warrant their conclusion. At a later date, Mr. Reed, after being made fully acquainted with the tenor of these documents, said they justified the coercive policy pursued by the allies at the Peiho and Tientsin.

The commissioner's powers not being enlarged, the British and French allies decided to proceed to Tientsin and there renew their request for a commissioner with full powers. Accordingly a demand was made for the surrender of the Taku forts, at the mouth of the Peiho, in order that a secure passage might be had to Tientsin.

This demand being refused, the forts were taken by assault, after a spirited resistance, and the British and French admirals and envoys ascended the Peiho to Tientsin without further opposition. They were at once followed by the American and Russian ministers.

The imperial court, now thoroughly alarmed by the determined action of the allies, made haste to appoint commissioners bearing full authority to make and sign treaties. And the work of negotiation went on apace. With the fleets and armies of the allies in their immediate presence, and the American and Russian representatives pressing their demands, the Chinese plenipotentiaries were at last awakened to the necessity of prompt and decisive action. Within a week after the negotiations were begun the Russian treaty was signed, the American soon followed, and the British and French were concluded within three weeks.

The Chinese commissioners proposed that the negotiations be conducted in the presence of all the foreign representatives, but there were obvious objections to this method, and they were carried on separately with each minister. The British and French envoys went in great state, with large and brilliant escorts as befitted their warlike surroundings, to meet the Chinese plenipotentiaries; but the American and Russian ministers visited them only with their secretaries and a small escort of sailors. The Chinese commissioners, it is reported, were men of dignified bearing and their whole tone and deportment were very striking.

Mr. Reed was assisted in his negotiations by Dr. S. Wells Williams, who had taken so prominent a part

in Commodore Perry's negotiations in Japan, and became secretary of legation upon the promotion of Dr. Parker; and also by Dr. W. A. P. Martin, a Presbyterian missionary, who was familiar with the Mandarin dialect, and who filled an important rôle in later Chinese affairs. Dr. Martin's early acquaintance with the dialect and his frank manners soon won the confidence of the Chinese. In one of the treaty interviews he presented to one of the commissioners an almanac in Chinese compiled by the missionaries, containing a variety of matter. At the next conference the commissioner pointed in the publication to the tenth commandment forbidding to covet, and begged him to circulate such tracts freely among the English, to lead them to observe it in their intercourse with the Chinese.

When the negotiations were about to be entered upon, there appeared upon the scene Kiying, the Chinese plenipotentiary in the negotiation of the British treaty of 1842, that with Mr. Cushing and with the French of 1844, and who was for several years the best known statesman of the empire. He had fallen into disgrace for agreeing to these treaties and for his supposed friendliness to foreigners. The decree of the emperor by which he was degraded in 1850 is a curious exhibition of the spirit of the government: "As for Kiying, his unpatriotic and pusillanimous conduct is to us a matter of unmixed astonishment. When he was at Canton he seemed only anxious to make our people serve the interests of foreigners. Recently, during a private audience, he spoke to us of the English, how

greatly they were to be dreaded, urging a mild and conciliatory policy. . . . The more he speaks the more does he expose himself, so that at the last we have come to entertain for him the same contempt we feel for a yelping cur."

He had doubtless taken advantage of the panic created at court by the advance of the allies to Tientsin, and sought to reinstate himself in favor by making the emperor believe he could be of special service with the foreigners, and he was given an independent commission to treat with the envoys. His true character of duplicity and untruthfulness had been revealed to the allies by the documents captured at Canton, and they refused to receive him. The American and Russian ministers, however, out of regard for his past services, his old age, and misfortunes, received and returned his visit, but held no negotiations with him. He suddenly disappeared from Tientsin, and on his return to Peking there was sent him a silken scarf from the emperor's hand, "in Our extreme desire to be at once just and gracious," which was the imperial indication that he would be permitted to save his family from any stain of disgrace by putting an end to his own life by strangulation, in lieu of his decapitation by the executioner. And thus disappeared from the stage of public affairs the most prominent Chinese statesman of his generation.

There are some indications in the official documents of a certain degree of friction between the envoys of the allies and the two neutral ministers, and the contemporaneous accounts speak of the jealousy of the

latter entertained by the former. But happily the rough places in their intercourse were smoothed over, and at the end of the negotiations a friendly and somewhat cordial relation was resumed. Dr. Williams, the American secretary, in his private diary, refers to the disposition of Baron Gros to be less exacting than Lord Elgin, and to the Russian constantly watching the allies, greatly to the annoyance of the British earl, and he sums up the situation as follows: "The position of the four ministers here is, indeed, something like that of four whist players, each of whom makes an inference as to the other's remaining suits and honors from the cards they throw down. Now, of course the Russian and American are partners, but if the Englishman were more *bon homme* and open he might readily have the Yankee to his aid against the others if there was any need of that kind."

First in order of signature was the Russian treaty and the American was signed a few days afterwards, but the British negotiations dragged and the French envoy, out of deference to his ally, deferred the signing of his convention. The British were pushing demands not insisted upon by the other powers, and they could only be obtained by coercive measures. The reports in the Blue Books and the London newspapers show that Mr. Lay, who personally conducted the negotiations for Lord Elgin, when he found the Chinese commissioners obdurate, was accustomed "to raise his voice," charge them with having "violated their pledged word," and threaten them with Lord Elgin's displeasure and the march of the British troops to Peking. And

when this failed to bring them to terms a strong detachment of the British army was marched through Tientsin to strike terror into its officials and inhabitants. Lord Elgin in his diary records the climax of these demonstrations: "I have not written for some days, but they have been busy ones. We went on fighting and bullying, and getting the poor commissioners to concede one point after another, till Friday the 25th." The next day the treaty was signed, and he closes the record as follows: "Though I have been forced to act almost brutally, I am China's friend in all this." There can be no doubt that notwithstanding the seeming paradox, Lord Elgin was thoroughly sincere in this declaration, and that his entire conduct was influenced by a high sense of duty and by what he regarded as the best interests of China.

The four treaties, negotiated separately, have a general similarity in their stipulations, and as each contains the "most favored nation" clause, the special stipulations of any became effective for all the powers. The important features of the treaties of Tientsin of 1858 over those of 1842 and 1844 were the concessions, first, as to diplomatic privileges, second, as to enlarged trade and travel, and third, as to religious toleration. Direct means of access to the government were provided, and the right of visit and residence of diplomatic representatives at Peking was secured. The stipulations as to trade, travel, residence, ownership of property, duties, etc., which had proved so defective or inefficiently enforced under the earlier treaties, were enlarged and made more specific in their terms.

The provision guaranteeing the toleration of Christianity and the protection of Chinese converts was an unexpected success. The French envoy was interested in securing greater immunity to Catholic missionaries, who were all under French protection, but the American and British ministers did not expect to go beyond securing religious liberty to their own countrymen in China. Dr. Martin says that Mr. Reed was indifferent to the subject, and he states that this article, "now the chief glory of the treaty," was suggested and successfully pressed by Dr. Williams. At the close of the latter's long career, the Secretary of State, in accepting his resignation, wrote: "Above all, the Christian world will not forget that to you more than to any other man is due the insertion in our treaty with China of the liberal provision for the toleration of the Christian religion."

After the signature of the treaties the envoys returned to Shanghai, and there negotiated trade regulations and a revision of the tariff. Mr. Reed likewise agreed with the Chinese plenipotentiaries upon a convention for the settlement of the claims of American citizens against China, and thereby brought to a conclusion a subject which had received the attention of the two preceding ministers. It was agreed to accept in satisfaction of these claims the lump sum of 500,000 taels, the equivalent of $735,288, which was considerably less than the total amount of the claims urged upon the Chinese government.

For the adjudication of these claims a commission of American citizens was appointed, and they were all

examined and passed upon in China. The greater portion of them had their origin in the loss of property occasioned by the British hostilities at and in the vicinity of Canton, and many of those allowed were of questionable validity in international law. After all the claims awarded had been paid, and a considerable amount which was rejected by the commission had been allowed by Congress, there still remained a large portion of the fund in the treasury of the United States. In 1885, Congress, responding to the sense of justice and fair dealing of the American people, authorized the President to return the balance in the treasury to China, and the sum of $453,400 was paid over to the Chinese minister at Washington, and by him received with "feelings of kindness and admiration" on behalf of his government.

Upon the conclusion of the claims convention, Mr. Reed proceeded to Hongkong, and there being informed by the Department of State of the acceptance of his resignation, which he had tendered on the conclusion of his labors at Tientsin, he placed the legation in charge of the secretary, Dr. Williams, and in December, 1858, returned to the United States. Soon after his arrival at his home in Philadelphia, he delivered a public address, reviewing his work in China, in the course of which he made some criticism of his foreign colleagues. It was an indiscretion which has been committed by other returning American ministers, but is none the less censurable. In most other respects his services in an important epoch in the relations of the United States with China have been deservedly commended.[1]

[1] S. Ex. Doc. 47, 35th Cong. 1st Sess.; S. Ex. Doc. 30, 36th Cong. 1st

One of the few messages which passed over the Atlantic cable of 1858 before its connection was broken was the news of peace with China and the signature of the treaties at Tientsin, which seemed to secure satisfactory relations with that empire for the future. But the sequel proved that these were vain hopes, as the Chinese were doomed to greater humiliation and punishment before they would consent to place their government upon an equal footing with the other powers of the world.

The successor of Mr. Reed was John E. Ward, of Georgia, a lawyer by education, little known outside of his own State before his appointment except as presiding officer of the convention which nominated Buchanan for the presidency, and without diplomatic experience. When he arrived at Hongkong in May, 1859, he found a British minister at that place and a French minister at Macao, who had been recently appointed to exchange the ratifications of their treaties and take up their residence at Peking. Mr. Ward's instructions from Washington were likewise to proceed to Peking and exchange ratifications of the American treaty. Upon reaching Hongkong he sent each of these ministers a letter notifying them of his appointment and arrival, and as soon as the Powhatan, the naval vessel assigned to his use,

Sess. 1–541; Williams's Life and Letters, chaps. vii. and viii.; Williams's Hist. of China, chap. vi.; Martin's Cathay, pt. i. chaps. x. and xi.; N. A. Rev. Oct. 1859, p. 518; Jan. 1860, p. 125; Littell's Liv. Age, Oct. 1858, p. 383; Walroud's Life and Letters of Lord Elgin, 252. As to claims, Ex. Doc. 30 (cited), 12, 101, 521; H. Ex. Doc. 20, 40th Cong. 3d Sess.; U. S. For. Rel. 1885, p. 183. For text of treaty of 1858, U. S. Treaties (ed. 1889), 159.

was ready, he set out for Peking by way of the Peiho, without waiting for his British and French colleagues.

Hearing, however, that the Chinese commissioners who had negotiated the treaties of Tientsin were at Shanghai, he called at that port to confer with them. He learned from them that they had been designated to exchange ratifications, and they desired him to await the arrival of the other ministers and proceed with the latter to Peking, where all the treaties would be exchanged at the same time. No place had been named in the American treaty for its exchange, but Peking was fixed in the other three. As the treaties were at Peking, and the time within which the American treaty was to be exchanged was about to expire, Mr. Ward was forced to comply with the commissioners' request.

The three envoys reached the mouth of the Peiho about the same time, the British and French being escorted by a considerable naval force, the American only having the vessel, which brought him, and a light-draught chartered steamer, with which to cross the bar and ascend the Peiho. The Russian treaty had already been exchanged and its minister established at Peking. The mouth of the Peiho was found to be closed by obstructions, and orders were given to allow no foreign vessel to enter the river or ascend to Tientsin. The commander of the British squadron informed Mr. Ward that unless the obstructions were removed he would proceed to destroy them and the Taku forts, and open by force the way for his minister to Peking. Mr. Ward, desiring to communicate with the authorities,

and also, if possible, to prevent another outbreak of hostilities, crossed the bar in company with Commodore Tatnall of the Powhatan in the small steamer Toeywan. Before he could communicate with the shore the Toeywan grounded. The British admiral, seeing the steamer was placed in the immediate locality of the prospective hostilities, sent a steam tug to her relief and sought in vain to get her afloat. Drs. Williams and Martin, secretary and interpreter of the legation, went on shore in a small boat and were informed that no one would be permitted to ascend the river, but that the governor-general of the province would meet the envoys at the north entrance of the river, about ten miles away.

The next day Admiral Hope, the British commander, advanced to the bar with the intention of removing the obstructions from the river, when he was fired upon by the Taku forts. A general engagement followed between the forts and the British and French forces, resulting in the complete repulse of the allies with heavy loss of vessels and men. They were overwhelmed with surprise at the effective defense of the Chinese, who had evidently profited by the experience of the engagement the year before.

The American minister and commodore were enforced witnesses of the contest. The little steamer on which they were had been floated off by the tide, but could not pass through the line of battle. In the midst of the conflict Commodore Tatnall, hearing that Admiral Hope was dangerously wounded and his vessel disabled, hastened with a boat's crew, as the minister reports, "not to assist him in the fight, but to give his sympa-

thy to a wounded brother officer whom he saw about to suffer a most mortifying and unexpected defeat." Tatnall's coxswain was killed at his side in the passage, and although the visit was intended to be one only of sympathy, his boat's crew, finding only three men on the admiral's ship able for duty, while the commodore tendered his sympathy to the admiral, assisted in working the guns.

In addition to this, the commodore, in his enthusiasm, used his steamer to tow into the engagement several barges loaded with British marines which could not make head against the wind and tide. Besides, the steamer was of service in rescuing the wounded and taking them outside of the line of fire. Tatnall's defense of his conduct was that "blood was thicker than water;" that he could not refrain from aid when kinsmen were in distress; and that he was only reciprocating the kindness of the admiral of the day before in sending his tug to draw his vessel off the bar. The commodore's gallant conduct made him famous, but Mr. Ward soon felt the influence of it in his intercourse with the Chinese officials.

The allied forces, after their unexpected defeat, withdrew to Shanghai. The English and French ministers broke off all negotiations, and "were exceedingly anxious" that Mr. Ward should likewise do so. But he said to the Secretary of State: "The path of my duty seems to me to be very plain. I arrived here with the English and French ministers, not as an ally, but because the Chinese commissioners insisted on my coming with them;" that on his arrival at Hongkong he left there

immediately, to avoid complications with other powers; and that he thought he should continue to seek to carry out his instructions to proceed to Peking and exchange ratifications of the treaty.

Accordingly he went to the place designated for his meeting with the governor-general, was received by him "with every demonstration of respect," and informed by that official that he was directed by the emperor to escort him to Peking. Without much delay he and his suite of thirty persons were conducted to the capital. Dr. Martin records: "We were the guests of the emperor, and our wants were provided for with imperial munificence." The minister was met by the treaty commissioners, whom he had left at Shanghai, and in the first conference with them he was told "that an interview with his Majesty the Emperor was absolutely necessary before any other business could be transacted in the capital," and that he would have "to practice the rites and ceremonies necessary to be observed for several days before the audience could take place." Thereupon a long discussion ensued, continuing through two weeks, as to the manner of conducting this audience. The Chinese commissioners first insisted that Mr. Ward should observe the universal custom at court and perform the *kotou*, or prostration, before the emperor, and when met by an indignant and absolute refusal, they offered to waive that ceremony if he would kneel on both knees, but finally expressed a willingness to accept an obeisance on one knee from the American minister. This matter had been the subject of discussion between Lord Elgin and the Chinese at Tientsin,

and while the noble lord had stoutly refused to fall upon both knees in presence of his Celestial Majesty, he had consented to bow on one knee, and this fact was urged upon the American envoy. But Mr. Ward was obdurate; in the spirit of the Southern cavalier he answered, "I kneel only to God and woman." "The emperor," rejoined the Chinese, "is the same as God." The republican representative was not convinced, and he said that he would do only that which was required by the President of his own country in receiving foreign ministers; he would bow respectfully, and do nothing more.

It seems strange at this day that a discussion of this character should be prolonged through weeks, and in the end result in the dismissal from the capital of the representative of a great nation, but the question was regarded by the Chinese as one of supreme importance. Their ruler was in their eyes of divine origin and authority, and the ceremony of prostration in his presence had been practiced for countless ages as an act not only of respect but of worship, and of recognition of his exaltation above all earthly powers. Lord Elgin wrote the British government that to disregard the ancient customs, "in the opinion of the Chinese, would shake the stability of the empire, by impairing the emperor's prestige." It would do great violence to the education and national pride of the court councilors to agree to forego the *kotou*, and it was regarded by them as a great concession, a mark of gracious condescension, and the highest evidence of friendship, to admit the American minister into the emperor's presence with the simple act of an obeisance upon one knee.

No agreement could be reached as to the audience, and Mr. Ward was told that consequently no other business could be transacted at the capital. He claimed that, as the British treaty provided for the exchange of its ratifications at Peking, under the most favored nation treatment he was entitled to have the American treaty exchanged there also. But the Chinese answered that the British treaty was not yet in force, and hence its privileges could not be availed of by other powers. As the American treaty was silent respecting the place of exchange, Mr. Ward was forced to accept the Chinese proposal to make the exchange of ratifications at the mouth of the Peiho.

The commissioners, however, agreed to one exception to the resolution to allow no business to be transacted by Mr. Ward at the capital. The President's autograph letter to the emperor, which should have been delivered at the audience that never took place, was upon the emperor's appointment received by Kweiliang, one of the treaty commissioners, who, Mr. Ward writes, was "the emperor's prime minister, and the second man in the empire to the emperor himself. It was received by him with every mark of respect — elevating it above his eyes, he placed it upon a table, under a guard of honor, until it could be conveyed to the emperor."

The minister and his suite, while outwardly treated with civility, were kept virtually as prisoners during their stay at the capital, their quarters being guarded by soldiers, and no one permitted to communicate with them. Anticipating the visit to Peking, the Secretary of State had solicited of the Russian government the

good offices of its minister, then resident there, and that minister made efforts to communicate with Mr. Ward, but all his letters were withheld, and his messengers and members of his suite were refused access to the American quarters.

His mission to the capital having proved fruitless, Mr. Ward returned to Pehtang, situated on one of the mouths of the Peiho, where he had landed, and there, "with every mark of respect," the exchange of the treaty was effected with the governor-general of the province. During the discussions at Peking reference was made to the acts of Commodore Tatnall, and it was stated that the emperor required the *kotou* "in proof of sincere repentance" for the aid rendered the British. After the treaty had been exchanged, the governor-general stated that his Majesty had directed him, as a mark of his peculiar favor to the minister, to deliver to him an American prisoner taken at the attack upon the forts. The prisoner when brought in acknowledged that he was a Canadian in the British navy, and to secure better treatment he had told the Chinese that he was an American, and that there was a body of two hundred Americans who took part in the attack.

The course pursued by Mr. Ward after the allies retired from the Peiho exposed him to the criticism of his colleagues and to the ridicule of the press, but it was in line with his instructions, and met with the approval of his government. His treatment at Peking was an affront to himself and his country, but one which he could not well have anticipated, and through which he bore himself with dignity and self-possession. It was a part of

the policy adopted by his government even to accept affronts with forbearance and exercise patience towards a people with very different traits of national character and education. And yet the Chinese regarded the American minister as very unreasonable, and as "having treated the emperor with disrespect" in not accepting the form of audience offered him.

The Chinese mission did not prove a very attractive field for American statesmen. Messrs. McLane and Reed had asked to be relieved within a year after arrival at their posts; and Mr. Ward wrote from the mouth of the Peiho, following the British defeat at the Taku forts, less than four months after reaching Hongkong, for permission to return home. On arriving at Canton, after his somewhat inglorious visit to Peking, he received this permission, and in December, 1859, Dr. Williams assumed charge of the legation.[1]

The events in China of the eighteen months which followed were memorable in its history and of vast consequence to its future; but in them the United States took little part. A change of administration and the civil war in America were impending, absorbing the attention of the government, and a new minister was not sent to the country till the events there in progress had their consummation. The British and French allied forces had demanded and sought to exercise the right

[1] S. Ex. Doc. 30 (cited), 569–624; Martin's Cathay, pt. i. chap. xii.; Williams's Life and Letters, chap. ix.; Harper's Mag. Oct. 1898, p. 747. As to *kotou*, S. Ex. Doc. 30, p. 595; Martin's Cathay, 199; N. A. Rev. Jan. 1860, pp. 159, 166; 1 Davis's The Chinese, 97; Histoire des Relations Politiques . . . Suivie du Cérémonial observé à la cour de Peking pour la Réception des Ambassadeurs, G. Pauthier, Paris, 1859.

to ascend one of the rivers of China to an interior city, which was not open to foreign trade and travel. The imperial authorities asked their envoys to land at the mouth of the river and go to Peking under Chinese escort. The Chinese were technically right in their position, and for a third time the British began hostilities against China upon an issue in which they were in the wrong. And yet the treatment of the American minister at Peking proved that the Chinese could not be brought to a faithful observance of the treaties except by further coercive measures.

In 1860 Lord Elgin and Baron Gros were again sent out, backed by a large naval and land force of the allied powers. The Taku forts were a third time assaulted, and with success, and a formidable army marched overland to the capital and there dictated peace, the emperor and his court fleeing to the north, and his palace being plundered and burned. The treaties of Tientsin were ratified and exchanged, Tientsin was opened to foreign trade, indemnities and a cession of territory were exacted because of the war, and the right of diplomatic residence at Peking and equality of official intercourse were guaranteed.[1]

The second stage in the advancement of China to a proper position among the nations was thus brought about by the rough argument of war. The journey yet unaccomplished was to be made with reluctant and

[1] McCarthy's Hist. chap. xlii.; Boulger's Hist China, 267 ; Williams's Hist. China, 319; Personal Narrative of Occurrences during Lord Elgin's Second Embassy to China, 1860, by H. B. Loch, London, 1870 ; Narrative of the War with China in 1860, by Lord Wolseley, London, 1862.

painful steps, sometimes by diplomatic pressure, and sometimes by force of arms. It will be seen that the United States, still persisting in its policy of peace, continued its coöperation with the European powers in breaking down the ancient barriers of conservatism and arrogance, while at the same time not unmindful of the forbearance due to that country because of those peculiar traits of its government and people.

VIII

CHINESE IMMIGRATION AND EXCLUSION

The reorganization of the Chinese government, after the evacuation of the capital by the allies in 1860, gave evidence that the lesson so rudely taught by the foreign armies was to be of profit to the empire. Hitherto what little attention had been bestowed upon foreign affairs was intrusted to the Colonial Board, the department which had to do with the intercourse of the tributary nations, Korea, Annam, and other adjacent countries. Yielding to the demand of the envoys of the allied powers, a board of foreign affairs was organized, termed the Tsung-li Yamen. With this department the diplomatic representatives, whose permanent residence at Peking had been secured as the chief result of the war, were to hold direct intercourse, and with it their business was to be transacted.

The emperor, who had fled at the approach of the allied armies, having died soon after their withdrawal from the capital, was succeeded by his infant son, and upon the organization of the Tsung-li Yamen, Prince Kung, an uncle of the young ruler, was designated as its president. He was a man of intelligence and proved to be a wise statesman with liberal tendencies, who recognized the necessity of his country's maintaining intercourse with the outside nations. With him was

associated Kweiliang, who had conducted the negotiations at Tientsin in 1858, where he had exhibited much skill and fitness for diplomatic duties. The third member of this board, as at first organized, was Wensiang, a Manchu mandarin, a man of marked ability, sagacious and enlightened, who realized better than any other of its public men the real situation of the empire. For fifteen years, until his death in 1875, he was the controlling spirit in the Foreign Office, the foremost Chinese statesman of his day, and his country's most useful public servant. With these men the diplomatic representatives of the Western nations had to do, and they proved worthy compeers in urbanity, astuteness, and capacity for public affairs.

The American representative who was to enter upon this new field of diplomacy, and who was destined to a career greatly distinguished above his colleagues, received his appointment to the post through a chance turn in political affairs. Anson Burlingame, a member of Congress from Massachusetts, a man of accomplished manners and possessing considerable oratorical gifts, had come prominently into public notice during the exciting period preceding the Civil War in the United States. He was best known for his ready acceptance of the challenge to a duel sent him by Brooks, of South Carolina, because of his denunciation of the latter for his brutal assault upon Charles Sumner in the senate chamber. When President Lincoln came to allot the offices to his adherents, Mr. Burlingame was appointed minister to Austria. Reaching Paris on his way to his post at Vienna, he was detained by notice that the

Austrian court was disinclined to receive him because he had in Congress expressed sympathy with the Hungarian patriot Kossuth and with the rising Italian kingdom of Victor Emmanuel. In this dilemma the mission to China, which had remained vacant for some time, was offered him, and Mr. Burlingame reluctantly changed his journey from Vienna to Peking.

He reached Canton in November, 1861. Before repairing to his post at Peking he spent several months at the treaty ports, familiarizing himself with the state of affairs and with American interests in those localities, and he did not reach Peking till July, 1862. The British, French, and Russian ministers had been for some time installed in their legations, and the Tsung-li Yamen had already adapted itself to the changed situation. Mr. Burlingame, by his attractive personality and genial manners, soon established pleasant relations with Prince Kung and Wensiang, and with his diplomatic colleagues.

He entered upon his mission in full accord with the spirit of friendliness and forbearance which actuated his government towards China. Within a short time his frankness and enthusiasm had so won the confidence of his colleagues that he brought about an agreement between them to adopt what he termed "a policy of coöperation — an effort to substitute fair diplomatic action in China for force" — whereby on all questions of general interest the ministers would take joint action; and while insisting upon the faithful observance of the treaties, they pledged themselves to respect the territorial integrity of China, to do what they properly

could to support the imperial government against the rebels, and not to interfere with the government in internal affairs, except in cases of extreme necessity.

This friendly action of the American minister was highly appreciated by the Tsung-li Yamen. When soon afterwards the Confederate cruiser Alabama appeared in the China seas, where it had destroyed several American vessels, Mr. Burlingame requested the Chinese government to forbid her entrance into any of its ports or to allow its subjects to furnish any supplies, an edict was promptly issued commanding the authorities "to keep a careful and close oversight, and if the steamer Alabama, or any other vessel-of-war, scheming how it can injure American property, approach the coasts of China, under their jurisdiction, they are to prevent all such vessels entering our ports." Such an order enforced by the governments of Europe would have saved the American commercial marine from destruction and shortened the Civil War. It was a striking evidence of the influence of the minister and of the friendship of the Chinese government.

During Mr. Burlingame's mission an interesting incident occurred which illustrates the liberal spirit which animated the imperial government at that time. Sen Ki-yu, a Chinese scholar and governor of a province, soon after the British treaty of 1842 had been forced upon the government, followed by that of 1844 with the United States, wrote a book in which he sought to show his educated countrymen that the people of the Western nations were not the barbarians they were thought to be. He could not read a word of any other

language than his own, and obtained his information from the few foreigners he met at the open ports of Amoy and Fuchau. It contained a geographical and historical notice of the United States with a eulogy of some length upon Washington, the spirit of which may be gathered from the closing paragraph. "It appears from the above that Washington was a very remarkable man. In devising plans he was more daring than Chin Shing or Han Kwang; in winning a country he was braver than Tsau Tsau or Lin Pi [Chinese heroes]. Wielding his four-foot falchion, he enlarged the frontiers myriads of miles, and yet he refused to usurp regal dignity, or even to transmit it to his posterity; but, on the contrary, first proposed the plan of electing men to office. Where in the world can be found a mode more equitable? It is the same idea, in fact, that has been handed down to us from the three reigns of Yau, Shun, and Yu. In ruling the state he honored and fostered good usages, and did not exalt military merit, a principle totally unlike what is found in other kingdoms. I have seen his portrait. His mien and countenance are grand and impressive in the highest degree. Ah! who is there that does not call *him* a hero?"

For writing this book Sen Ki-yu was removed from his office of governor, was degraded, and forced to remain in private life for sixteen years. Under the new régime he was in 1866 recalled to public life and made a member of the Tsung-li Yamen. The attention of Secretary Seward was called to his career and his eulogy on Washington, and as a fitting tribute of

respect, he ordered a portrait of the first President to be painted, and it was presented on behalf of the government of the United States by Mr. Burlingame in an appropriate address to Sen Ki-yu, in the presence of his colleagues and a distinguished company of Chinese statesmen and scholars.

Upon his appointment to the Tsung-li Yamen, he was likewise made the managing director of the Tung Wen Kwan, or Imperial College, which had been established for the education in European languages and learning of a select number of Chinese youths taken from the families of the nobility and higher officials. The presidency of this college had been conferred upon Dr. W. A. P. Martin, the American Chinese scholar, who was assisted by a corps of European professors. Another evidence, reported by Minister Burlingame, of the spirit of progress of the government and its acceptance of American ideas, was the publication by the Chinese Foreign Office and distribution to the officials of the empire of a Chinese version of Wheaton's treatise on international law, translated by Dr. Martin.

During the term of Mr. Burlingame's mission no questions of serious difficulty arose between the United States and China, thanks to the intelligent policy of the Tsung-li Yamen and to the tact and friendly disposition of the American minister. After a residence in Peking of six years, Mr. Burlingame decided to resign and return to the United States to reënter political life.[1]

[1] As to Burlingame's appointment as minister, see MSS. dispatches, Department of State, 1861, Austria. As to services in China, U. S.

The Tsung-li Yamen had been advised of his intention, and appointed a farewell interview at the foreign office. During an exchange of compliments, a suggestion was made by Wensiang that in passing through Europe on his return to the United States, Mr. Burlingame might be of great service in Paris and London by friendly representations on behalf of China. He at once expressed his willingness to render China this service, whereupon Wensiang, apparently half in earnest and half in compliment, asked, "Why will you not represent us officially?" Mr. Burlingame reports that he "repulsed the suggestion playfully, and the conversation passed to other topics." Out of this came his actual appointment as ambassador of China to the Western powers.

Dr. Martin, who was present as interpreter at the farewell interview, says that Mr. Burlingame on his return to his legation called upon Robert Hart, a British subject at the head of the Chinese customs service and a confidential adviser of the Tsung-li Yamen, and told him of the suggestion which had been made to him. Hart, who owed much to Mr. Burlingame for his advancement in the Chinese service, undertook to make the suggestion a realization, and within a few days inquiry was made of Mr. Burlingame as to his willingness to accept such an appointment, and the imperial edict soon followed. In tendering his resignation to Secretary Seward before accepting this appointment,

Dip. Cor. 1862–1868, China; Williams's Letters, chap. x.; Martin's Cathay, pt. ii. chap. ii. As to Sen Ki-yu, U. S. Dip. Cor. 1867, pt. i. pp. 453, 513; Speers's China, 421; Williams's Letters, 417.

he stated that he did so "in the interests of my country and civilization. . . . I may be permitted to add that when the oldest nation in the world, containing one-third of the human race, seeks, for the first time, to come into relations with the West, and requests the youngest nation, through its representative, to act as the medium of such change, the mission is one not to be solicited or rejected." He further reported that before he accepted the appointment he consulted his diplomatic colleagues, who heartily approved of the action of the Chinese government, and pledged him their support in his new mission.

The emperor's edict issued in November, 1867, engrossed on yellow silk and bearing the great seal of the empire, was in the following terse terms: "The Envoy Anson Burlingame manages affairs in a friendly and peaceful manner, and is fully acquainted with the general relations between this and other countries; let him, therefore, now be sent to all the treaty powers as the high minister, empowered to attend to every question arising between China and those countries. This from the Emperor." Mr. Burlingame was created an official of the first or highest rank in the Chinese government, and with him were associated two Chinese officials of the Tsung-li Yamen of the second rank. The British secretary of legation and a French official in the Chinese service were made secretaries of the mission, and there was added a numerous suite of translators, clerks, and attendants.

The embassy, which was commissioned to visit the eleven Western nations with which China had treaties,

came first to the United States and reached Washington in May, 1868. From its landing in San Francisco to its departure from New York for Europe, its reception was of the most cordial character, constituting one continuous ovation. In London it was at first received with coolness, but Mr. Burlingame's enthusiastic temperament and persuasive address won the favor of the British government and people. At a luncheon given to the members of the mission in Windsor Castle, after being received by the queen, Lord Stanley said: "It is true that a certain degree of opposition, originating in ignorance of the real object of the Chinese mission, coupled with a desire to adhere to the old traditional British coercive policy, met Mr. Burlingame on his arrival in England, but this has passed away. Mr. Burlingame, by his dignified course, and feeling the grandeur and importance of the high trust confided to his care, has conducted himself in such a manner as to completely disarm opposition and create a favorable impression not only for China, but for the United States."

The reception in Paris was not so hearty; at Berlin an attentive hearing was accorded the mission; and thence it proceeded to St. Petersburg. But at the Russian capital Mr. Burlingame fell ill and within a few days succumbed to his disease, thus ending his brilliant career. That he was the life and soul of the mission is shown by the fact that upon his death it in great measure ceased its efforts and returned to Peking, where it was dissolved. Even the two associate Chinese envoys, whom Prince Kung in their instruc-

tions declared were appointed in order to "give those high officials opportunity to acquire practice and experience in diplomatic duties," were on their return assigned to internal positions and disappeared from public view.

The mission had its origin in the proposed revision the next year of the treaties of Tientsin of 1858. It had for its object the solicitation from the treaty powers of the abandonment of the policy of force; of the treatment of China on an equality with other nations; of forbearance and patience in allowing it to work out the system of reform and of international intercourse in its own time and way; and it had in view the incorporation of these ideas in the revised treaties which were in contemplation. It was a wise step on the part of the Chinese to choose for the head of this mission a representative of the United States, whose government had disavowed all territorial aims in China, and whose selection could awaken no jealousy or suspicion among the rival European powers.

The only substantial result of the mission was the treaty which it negotiated with the government of the United States, and the terms of that treaty may in some degree indicate the purposes and expectations of Prince Kung and his associates of the Tsung-li Yamen in its creation. This treaty was drafted by Secretary Seward, who, it has been shown, entertained the most exalted ideas as to the future possibilities of the United States in the Pacific Ocean. It stipulated the territorial integrity of China by disavowing any right to interfere with its eminent domain or sovereign jurisdiction over

its subjects and property; it recognized the right of China to regulate its internal trade not affected by treaty; provided for the appointment of consuls; secured exemption from persecution or disability on account of religion; recognized the right of voluntary emigration; pledged the privilege of residence and travel in either country on the basis of the most favored nation; granted the privilege of schools and colleges; disavowed the intention to interfere in the domestic administration of China in respect to public improvements, but expressed the willingness of the United States to aid in such enterprises when requested by China.

The effect of the treaty of 1868 upon the future relations of the two countries will be considered later in this chapter, when it will be seen that its principal provisions were nullified by a revulsion of public sentiment in the United States. Hence it may be said that the Burlingame mission was substantially barren of results. At the time it was the subject of animated discussion, the foreign merchants resident in China being especially earnest in their opposition to it as a movement to deceive and mislead the Western powers, and claiming that the Chinese were at heart relentless opponents of all foreigners, and that it was folly to treat them as other nations. A later minister at Peking wrote: "Mr. Burlingame, with that wealth of generosity which characterized him, nourished in his imagination the more attractive qualities of the Chinese. There was so much that was exalted and honorable in his views, so much that touched the generous sentiments of the age,

so much withal that was true and capable of demonstration, that he aroused the enthusiasm of our people. . . . The last effects of Mr. Burlingame's glowing statements were then effaced [by the Tientsin riot of 1870], and an impression left that the Chinese entertained an unyielding, bitter hatred of foreigners."

However this may be, the fruitless effects of the mission cannot be made to reflect upon Mr. Burlingame's ability or foresight. Indeed his success in the United States and at London and the sudden collapse of the mission upon his death bear testimony to his capacity and magnetic personality. James G. Blaine, who was a participant in the honors paid to him at Washington, says of him: "As an example of the influence of a single man attained over an alien race, whose civilization is widely different, whose religious belief is totally opposite, whose language he could not read nor write nor speak, Mr. Burlingame's career in China will always be regarded as an extraordinary event, not to be accounted for except by conceding to him a peculiar power of influencing those with whom he came in contact; a power growing out of a mysterious gift, partly intellectual, partly spiritual, and largely physical." The imagination may well speculate upon what might have been the later history of China, if his life had been spared to conclude his mission and to return to Peking to exercise his unusual personal influence upon the imperial court.[1]

[1] On Burlingame's appointment and mission, U. S. Dip. Cor. 1868, pt. i. pp. 493, 502, 601; 1870, pp. 317, 332; 1871, p. 166; Williams's Letters, 370, 376, 382; Martin's Cathay, 374; Speers's China, 429;

The Tientsin riot of 1870, resulting in the murder of nineteen foreigners, mostly French missionaries, and the destruction of the French consulate, the cathedral and the mission property, was one of the most violent outbursts of Chinese antipathy to foreigners in the last century. Although the American minister reported that the French consul and missionaries had been imprudent in their conduct, he united with his diplomatic colleagues in a demand upon the authorities for the punishment of the guilty parties, and was active in bringing about a proper reparation and settlement.[1]

From the first residence of the foreign ministers at Peking the empire had been ruled by a regency consisting of the two empress dowagers, but on February 23, 1873, the young emperor, having attained his majority, personally assumed the control of the government, and a notice to this effect was sent by Prince Kung to the chiefs of the diplomatic corps. Since 1860 the foreign representatives on their arrival at the capital had sent a copy of their credentials to the Tsung-li Yamen, but had retained the originals, the female regency holding no personal intercourse with them. Upon receipt of the notice of the emperor's assumption of the government, the ministers joined in a note requesting

Nevius's China, 438; Williams's Hist. China, 344; Douglas's China, 356; The Burlingame Mission, A Political Disclosure, etc., by J. M. Gumpach, 1872; Harper's Mag. Oct. 1868, p. 592; Westminster Rev. Jan. 1870. For Burlingame's views of mission, see speech in New York, Nevius's China, 451. For Burlingame treaty of 1868, U. S. Treaties, p. 179.

[1] U. S. For. Rel., 1870 and 1871, China; Williams's Hist. China, 347; Douglas's China, 360.

an audience of his majesty to pay their respects and present to him their credentials.

Thus was raised again the question of audience, which had been so much discussed during the past two centuries and a half, whenever the representatives of the Western nations had sought to appear in the presence of the ruler of the Middle Kingdom. The Tsung-li Yamen assumed the same position as that maintained by the court when the American minister, Mr. Ward, came to Peking in 1859, — that it would be necessary for the foreign ministers to kneel at the audience. The discussion on this point continued through four weary months, with frequent conferences and many exchanges of notes and memoranda. The foreign governments were firm in sustaining their representatives in the position that they would do nothing at the audience which would imply inferiority on the part of their countries, and that, as prostration or kneeling was an act of abasement, they could not permit their ministers to perform it. The Secretary of State in his instructions to Mr. Low, the American minister, stated that while questions of ceremony were not usually seriously considered in the United States, in the case of China it involved the official equality of nations and became a question, not of form merely, but of substance, requiring grave consideration. He was directed "to proceed carefully and with due regard for the inveterate prejudices and the grotesque conceit of the Chinese courtiers," but if he should fail to bring about a correct decision of the question, he was authorized to go to the extreme of suspending official intercourse.

Happily, however, such a course did not become necessary, as Prince Kung and Wensiang were able eventually to bring the court and cabinet to accept the three bows which were usual in similar ceremonies at European courts as a sufficient mark of respect to the emperor. The audience was a noted event in Chinese history, as it marked another step towards conformity to Western diplomatic intercourse. And yet it was not a complete abandonment of oriental methods. The audience did not take place in the great reception hall, but in the "Pavilion of Purple Light," used for receiving the visits of the representatives of tributary states. The emperor did not stand, did not receive from the ministers their credentials, and did not speak to them in response to their addresses. He sat upon his throne, the credentials were laid upon a table in front of him, and he directed Prince Kung to make response in his name. So hard it was for this ancient people to break away from the custom of ages.[1]

The vexed question, so imperfectly settled in 1873, would necessarily recur for discussion; but as the young emperor, Tung Chih, died soon after that date, and another long regency occurred during the minority of the present emperor, Kwang Hsu, no other audience was granted till 1891. Upon the latter attaining his majority, an imperial edict was published directing an audience for the diplomatic corps. This brought forward again for discussion the points unsettled in 1873, and for three months conferences of the members of

[1] U. S. For. Rel. 1873, China; Williams's Hist. China, 359; Douglas's China, 375.

the corps and interviews and correspondence with the Tsung-li Yamen absorbed the attention of these two bodies.

The foreign representatives insisted, first, that the audience should not be held in the tribute hall; second, that the letters from their sovereigns should be placed by them in the hands of the emperor; third, that there should be a separate audience for each minister and his suite, in place of a reception of the diplomatic corps in a body, with one spokesman and one interpreter; and fourth, that new ministers might present their letters on arrival, in place of waiting till the annual New Year's reception, as was contemplated in the edict. On the first two points the diplomats were only partially successful. It was determined that the first audience should be held in the "Pavilion of Purple Light," but in after years in a suitable hall in the main palace. It was contended that, according to immemorial law, no person could present a paper to the emperor except upon his knees. It was therefore decided that Prince Ching, president of the Tsung-li Yamen, should descend from the platform upon which the emperor was seated, take the letter from the foreign minister at the foot of the steps, and lay it upon the table in front of the emperor, and then kneel to receive his majesty's reply. It may seem trivial to the reader that a considerable part of the time of the three months' deliberation was over the precise stage of the ceremony when Prince Ching should kneel. The diplomats successfully contended that he could not make that obeisance until the letter of their sovereign or chief had left his hands, as until he placed

that document on the table he was in a certain sense the agent of the foreign sovereign.

The American minister, Mr. Denby, — who had been in Peking more than five years before he was able to present the letter of the President accrediting him, — reported the audience of 1891 as a great triumph for Western diplomacy, and a long step in the direction of recognition of the absolute equality of nations. But it required the Japanese war of 1894 and the convulsion growing out of the Boxer outrages of 1900 to bring the "Son of Heaven" down from his platform, have him receive into his own hands the autograph letters of presidents and monarchs, and talk face to face with their representatives.[1]

Following the discussion of the audience question, another step was taken towards a more liberal policy. The American minister was informed that it had been determined to send a number of Chinese youths abroad to be educated at the public expense, and that they would be sent to the United States, if assurance could be had of a friendly reception, which was promptly given. The first detachment, consisting of thirty youths, was sent in 1872, and they were followed by thirty more in 1873. Homes were found for them in families in Massachusetts and Connecticut, and later others were sent, and a station was established at Hartford, under the direction of Yung Wing, a Chinese graduate of Yale College, which was maintained for a number of years, but it was finally abandoned and the young men

[1] U. S. For. Rel. 1891, pp. 355–385, 392, 455, 456; 1892, p. 85; 1898, p. 223.

recalled to China, upon the pretext of the reactionary party that their long residence abroad would weaken their devotion to their own country. The action in sending them to the United States demonstrated the liberal tendencies of the controlling spirit of the government and its friendly disposition to the United States. On their return to China, although a disposition was shown to exclude them from public life, the value of their foreign education was so manifest that a number of them have been assigned to important posts under the government, and have rendered their country very useful service.[1]

In 1875, Dr. S. Wells Williams, who began his diplomatic career in 1853 as secretary and interpreter to Commodore Perry in Japan, and who for twenty years had acted as secretary and often as chargé of the American legation in China, resigned his office and returned to the United States. For several years and until his death in 1884 he occupied the chair of Chinese Languages and Literature at Yale University. Few American officials in China have been enabled to render their country such useful services. His work on China, "The Middle Kingdom," remains to this day the standard authority on that country. His Chinese Dictionary — a work of much labor and research — is the best evidence to his great learning in the Chinese language. Secretary Fish, in accepting his resignation, expressed in the highest terms the government's appreciation of his services. Minister Reed, with whom he served

[1] U. S. For. Rel. 1872, p. 130; 1873, pp. 140, 186; Williams's Hist. China, 387.

under the most trying circumstances, wrote: "He is the most learned man in his varied information I have ever met. . . . He is the most habitually religious man I have ever seen." The American missionaries, by whom his life was best known, well said of him: "It is not often that the providence of God allots to any one man so long and so distinguished a term of service."

The special feature of the Burlingame treaty of 1868 with the United States was in its emigration stipulations. Although the ancient penal code of China visited expatriation of its subjects with severe penalties upon the resident relatives of offenders, and emigration was prohibited by law and was discouraged by the government, yet the overflowing Chinese population in and adjacent to the seaports having intercourse with foreigners had not been deterred from seeking to better their lot in foreign lands. For centuries the Chinese had resorted to the Philippine Islands, and even bitter persecution and slaughter had not prevented many thousands of them from maintaining their residence there. They had likewise gone in large numbers to Annam, Siam, Java, the Malay Peninsula, and the British Straits Settlements, where their industrious and abstemious habits had enabled them to supplant largely the less energetic inhabitants.

About the time of the acquisition of California by the United States and the discovery of gold there, a fresh incentive was given to Chinese emigration, and it assumed a new aspect. A large demand for labor arose in Peru, where efforts were being made to restore to cultivation the lands which had lain idle since the

conquest, and also to work the mines. In Cuba the cultivation of sugar had become very profitable, and the stringent enforcement of the international treaties against the African slave trade had forced the planters to look elsewhere for laborers. Brazil and other countries were likewise seeking for an increase of the laboring class. China with its superabundant population afforded the best field from which these countries could obtain their much needed supply.

This led to the establishment of what is known as the coolie trade — the procurement from southern China of laborers, their transportation to Peru, Cuba, and other countries nominally under a contract of service for a term of years, but virtually constituting a system of slavery with all its attendant hardships and horrors. The American consul at Hongkong, who was familiar with this traffic, reported to his government that it differed from the African slave trade "in little else than the employment of fraud instead of force to make its victims captive." Secretary Seward, who visited China on his tour of the world about the time when it was at its height, described it as "an abomination scarcely less execrable than the African slave-trade." The headquarters of this trade were established at the Portuguese port of Macao, as it was not permitted from the Chinese ports nor the British colony of Hongkong. For some twenty years it constituted the main business of Macao, where the iniquitous traffic was carried on long after it had been outlawed by the leading maritime nations of the world.

Many of the poorest classes of the Chinese, in the

hope of bettering their condition, were induced to enter into contracts of service for a term of years under tempting conditions as to wages and thus became voluntary but deceived emigrants. As the demand increased and the supply of willing contract laborers became insufficient, Chinese in large numbers were kidnapped from their homes, native procurers or pimps being employed to do the needful work of the so-called contractors. They were confined in barracoons at Macao, and thence sent off in ship loads to their destined places of slavery. The transportation of these wretched creatures was attended with great privations, and in many instances with experiences of the most cruel and revolting character. The coolies often on the voyage, discovering that they had been seduced under false pretenses as to their destination or the character of service, mutinied, and, killing the officers and crew, returned to China; or, being overpowered, many of them were killed and the rest kept as prisoners. Suicides were frequent and deaths from ill treatment and disease were numerous. In one case the mutinous coolies set fire to the vessel, whereupon the captain and crew, battening down the hatches, took to the boats and left the six hundred Chinese to perish miserably. Other instances of nearly equal horror occurred.

When they reached their destination, in Peru and Cuba especially, they were sold to the planters at prices as high as from $400 to $1000 for each laborer, for the term of service fixed in the contract into which they had entered either voluntarily or by compulsion;

but at the end of the term, for alleged debt, crime, or other fictitious charge they were continued in service. During this period they were treated as slaves, branded, lashed, and tortured, and their condition was so wretched that many sought relief in death. It is estimated that more than one hundred thousand Chinese coolies were taken to Peru and about one hundred and fifty thousand to Cuba.

The inefficiency or indifference of the Chinese government is shown in the fact that its subjects in such large numbers could be carried away from its dominions and so cruelly maltreated without any serious effort to put an end to the evil. The local authorities in a feeble way sought to repress kidnapping and the imposition practiced on the people, but to little purpose, as for many years the traffic flourished. Among the documents on the subject sent to Washington by Minister Parker, who was the most vigorous champion in the crusade against the traffic, there is found a proclamation issued by the gentry of Amoy, warning their countrymen against the kidnappers and the seducers of the lower classes by false promises, and bemoaning the sad fate of those sold into slavery. "They might," it says, "implore Heaven, and their tears may wet the earth, but their complaints are uttered in vain. When carried to the barbarian regions, day and night they are impelled to labor, without intervals even for sleep. Death is their sole relief. . . . Alas! those who living were denizens of the central flowery country, dead, their ghosts wander in strange lands. O, azure Heaven above! in this way are destroyed our righteous people."

Realizing the friendly attitude of Americans towards their country, the Chinese coolies in Peru sent to the American legation in Lima a curious and affecting petition, setting forth their pitiable condition, and praying that through its government the emperor of China might be moved to intervene in their behalf. This petition was presented by the American minister at Peking to the Tsung-li Yamen, with the suggestion of a course which might be followed to secure relief without danger of foreign entanglements. He reports that the officials of the Yamen expressed their sympathy with their suffering countrymen, regretted that they should have been inveigled into such a miserable, cruel servitude, and hoped that the evils would soon be mitigated; but he states that they had no vivid sense of their own responsibilities in the matter, did not respond to his suggestion of a remedy, and took no steps for the amelioration of the sad lot of the petitioners and the scores of thousands of other Chinese similarly situated.

The explanation made by the American minister for this surprising indifference of the Peking officials was that their secluded position and prejudices of education and etiquette prevented them from learning the true state of the world and deterred them from any new step in foreign intercourse. Added to this was the fact that the interests of the great empire were not seriously affected by the exodus of a few hundred thousands from the swarming population of the southern provinces. During the negotiations which resulted in the treaty of 1858 one of the Chinese plenipotentiaries,

in response to a suggestion that his government should send consuls abroad to look after the interests of the emperor's subjects settled in foreign lands, said: "When the emperor rules over so many millions, what does he care for the few waifs that have drifted away to a foreign land?" It was stated that some of those in the United States were growing rich from the gold mines, and that they might be worth looking after on that account. "The emperor's wealth," he replied, "is beyond computation; why should he care for those of his subjects who have left their home, or for the sands they have scooped together?"

But in addition to the grievances of the coolies in Peru, a little later similar complaints of ill treatment of the Chinese in Cuba were brought to the attention of the Chinese government, and upon the advice of the American and British ministers a commission was sent to that island to inquire into their condition. The report of that commission, made in 1875, developed a state of affairs of the worst possible character. It showed that almost all the Chinese in Cuba had been kidnapped by force or inveigled by falsehood. They had been confined and treated like prisoners in the barracoons at Macao, intimidated or deceived into signing unjust contracts, shipped like slaves, and cruelly treated on the voyage. Among the kidnapped were some persons of literary and official rank, who were held to unwilling labor. Many jumped overboard on the voyage, wild at the fraud practiced upon them, or crazed with the sufferings which they endured from overcrowding, filth, and insufficient food. One in ten

died on the passage. Arrived in Cuba, their services were sold at high rates and great profits. They were kept at work much beyond the usual hours of labor, denied holidays, beaten, mutilated, and starved, and from these causes they died in large numbers. When the contracts expired, instead of being allowed their freedom, if they refused to renew their contracts, they were treated as vagrants and held as convicts until they reëngaged themselves or were sold into service. At the end of the second contract, they were again subjected to the same treatment. And the various extortions practiced and the high rates of passports made escape from the island extremely difficult.

When this report was made public it so shocked the moral sense of the world that even the Spanish government, which was the last of the civilized nations to adhere to the system of slavery, was forced to enter into treaty stipulations with China, whereby a stop was put to the most iniquitous practices of the system of contract service; and the Portuguese government was forced to close the barracoons at Macao. Chinese consuls were sent to Cuba, Peru, and other countries where Chinese coolies were found in considerable numbers, and they were afforded the opportunity of receiving and investigating their complaints.

The first legislation looking to the suppression of the Chinese coolie trade was passed by the British Parliament in 1855, making it unlawful for British ships to engage in it, and giving full power to the colonial government at Hongkong, where the trade was first established, to take measures against it. This drove

the headquarters of the business to Macao and transferred the transportation service to other than British vessels. Although the American ministers in China exerted their influence against it, and Minister Parker issued a proclamation warning American vessels from engaging in the carrying of coolies, as the minister had no power to punish violations of his proclamation, it did not deter American vessels, and to their shame be it said, a number of them were for a time engaged in the transportation. But in 1862 Congress passed an act making it unlawful for American vessels to transport subjects of China or of any other oriental country, known as coolies, to any foreign port to be held to service or labor; all citizens of the United States were prohibited from engaging in the trade or from building vessels to engage in it; and American naval officers were empowered to search and seize American vessels offending against the law. It was likewise made the duty of American consuls to examine all emigrants on ships clearing for United States ports to ascertain whether they were departing voluntarily.

The effect of the law was to drive all American vessels and citizens out of the iniquitous traffic and also to prevent the introduction of coolie labor into the United States. The intercourse of the Americans with the Chinese had created a friendly feeling on the part of the latter, and soon after the establishment of diplomatic relations and the opening of the ports to trade, the attention of the Chinese was turned to the Pacific territory of the United States. With the oriental imagery to which they were addicted they styled that

country "The Beautiful Land" and the Union standard "The Flowery Flag." Before the enactment of the coolie legislation by Congress several thousands of Chinese had come to California, attracted by the discovery of gold and by the demand for labor at high rates of wages; but under the American laws the system of enforced labor was not permitted and the coolie trade never extended to the United States. The cost of transportation of many of the Chinese laborers who came to California was advanced to them by firms or companies at Canton or Hongkong, and they signed contracts to refund the sums advanced out of their wages, but they were perfectly free as to their movements and service when they reached the United States.[1]

Although the United States had prohibited its citizens and vessels from engaging in the coolie trade, it agreed to the insertion of a clause in the Burlingame treaty to give to its laws the solemn guarantee of an international compact, by which it was made a penal offense for a citizen of the United States or a Chinese subject to take the citizens or subjects of the other nation to any foreign country without their free and

[1] For reports of American ministers as to coolie trade, H. Ex. Doc. 123, 33d Cong. 1st Sess. p. 78; S. Ex. Doc. 99. 34th Cong. 1st Sess.; S. Ex. Doc. 22, 35th Cong. 2d Sess. 623, 632, 661, 670; S. Ex. Doc. 30, 36th Cong. 1st Sess. 59, 185, 424; For. Rel. 1871, pp. 114, 150, 210; 1873, pp. 205, 207; 1875, p. 293; 1878, p. 96; 19 Chinese Repository, 344, 510; Martin's Cathay, 31, 160; Seward's Travels Around the World, New York, 1873, p. 253; Harper's Mag. June, 1864; N. A. Rev. Jan. 1860, p. 143; Williams's Hist. 346; Williams's Letters, 414; Speers's China, 421. For laws of Congress, U. S. Rev. Stat. secs. 2158–2164; 18 St. at L. 477.

voluntary consent. But the stipulations to which the greatest value were attached in the United States were those contained in Article V., which "cordially recognized" on the part of both governments "the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free immigration and emigration of their citizens and subjects respectively from one country to the other for purposes of curiosity, of trade, or as permanent residents;" and in Article VI., in which it was provided that the citizens and subjects respectively "shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favored nation."

At the time this treaty was being made several thousand Chinese laborers were engaged in the construction of the transcontinental or Pacific railroad. This stupendous enterprise, which was to bind the Atlantic and Pacific territories of the nation in an indissoluble union, and which had required the credit of the nation and the wealth of its capitalists for its consummation, was approaching completion, thanks to the patient toil of an army of Chinese laborers when others could not be obtained. This same sturdy and indefatigable race had been largely instrumental in the sudden and wonderful development of the Pacific States. It was felt that they were a valuable addition to the labor element of the country and were destined to have a still greater and still more favorable influence upon its development.

Hence the treaty containing the stipulations cited

was heralded as a marked evidence of American influence in the East, and the President, in communicating its negotiation to Congress, spoke of it as a "liberal and auspicious treaty." Some delay, however, occurred in its ratification by the Chinese government, and serious uneasiness was felt in the United States lest it should fail to be carried into effect. Under President Grant's direction, Secretary Fish instructed the American minister in Peking to exert his influence with the Chinese authorities to bring about its early ratification. He wrote: "Many considerations call for this besides those which may be deduced from what has gone before in this instruction. Every month brings thousands of Chinese immigrants to the Pacific coast. Already they have crossed the great mountains and are beginning to be found in the interior of the continent. By their assiduity, patience, and fidelity, and by their intelligence, they earn the good-will and confidence of those who employ them. We have good reason to think this thing will continue and increase;" and the Secretary said it was welcomed by the country.

The treaty was finally ratified by China, and the government of the United States congratulated itself on being instrumental in bringing China out of her seclusion and inducing her "to march forward," as Secretary Fish expressed it. Ten years after this treaty was signed, President Hayes, in a message to Congress, thus spoke of its leading provision: "Unquestionably the adhesion of the government of China to these liberal principles of freedom in emigration, with which we were so familiar and with which we were so well satis-

fied, was a great advance towards opening that empire to our civilization and religion, and gave promise in the future of greater and greater practical results in the diffusion throughout that great population of our arts and industries, our manufactures, our material improvements, and the sentiments of government and religion which seem to us so important to the welfare of mankind."[1]

But within a few years after the treaty went into operation a change in public sentiment respecting it began to take place, especially on the Pacific coast, where the Chinese population was principally located. By their diligence and frugal habits they were able to successfully compete with the white laborers in the mining camps, in the fields, in the shops, as domestics, and in all common manual labor. The trades unions joined in sounding an alarm that the myriads of people from the crowded and half-starved homes of China were likely to come to the country in such numbers as to drive out entirely the white laborers. The Chinese in California and adjacent sections segregated themselves from the other inhabitants, living together in cheap, ill-constructed, and uncleanly houses, took no part in local or public affairs, did not assimilate with the mass of the people, and observed their pagan or superstitious rites. It was argued that they were an undesirable population, and that if continued to be allowed free access to the country, they would in time endanger its institutions and change entirely its distinctive characteristics.

[1] 6 Presidents' Messages, 690 ; 7 Ib. 516 ; U. S. For. Rel. 1870, p. 307.

The opposition to this emigration first manifested itself in individual acts of hostility, personal abuse of Chinamen, and injury to their property. To this succeeded state laws restricting their rights and seeking to limit the immigration. But when tested in the courts this state legislation was declared to be in violation of the treaty or of the federal Constitution. The element opposed to the coming of the Chinese, which had now grown so strong in California as to dominate state politics, appealed to Congress for an abrogation or modification of the Burlingame treaty of 1868. This appeal was so effective as to procure the appointment, in 1876, of a joint committee of the two houses to visit the Pacific coast and to investigate the character, extent, and effect of Chinese immigration.

The committee, at the head of which was Senator Oliver P. Morton, of Indiana, one of the ablest and most influential members of Congress, held a number of sessions at San Francisco, examined a large number of witnesses, received a mass of documentary evidence, and made a thorough investigation. The report which the committee submitted to Congress at its next session constitutes, with the testimony, a volume of over twelve hundred pages. The chairman, Senator Morton, attended the sessions of the committee in San Francisco, but having fallen ill on his return journey to the East and died before Congress convened, the report was presented by Senator Sargent, of California. As the majority and minority reports of this committee set forth the arguments advanced during the discussion, in the United States through twenty-five years, of the much

agitated question of Chinese immigration, it is well to give an epitome of them.

The report submitted for the committee by Senator Sargent stated that the investigation established the fact that so far as material prosperity was concerned, the Pacific coast had been a great gainer by Chinese immigration, and, if inquiry was not to be made into the present and future moral or political welfare of the Pacific States, it must be conceded that their general resources were being rapidly developed by Chinese labor. Opposition to any restriction on Chinese immigration was manifested by the capitalistic classes and those interested in transportation; also by religious teachers, who found in the presence of the Chinese an opportunity of Christianizing them.

On the other hand, the laboring men and artisans were opposed to the influx of Chinese; and the same view was entertained by many professional men, merchants, divines, and judges, who regarded the prosperity derived from the Chinese as deceptive and unwholesome, ruinous to the laboring classes, promotive of caste, and dangerous to free institutions.

The committee reported the evidence as showing that the Chinese lived in filthy dwellings, upon poor food, crowded in narrow quarters, disregarding health and fire ordinances, and that their vices were corrupting the morals especially of the young. It also showed that the Chinese had reduced wages to starvation prices for white men and women, that the hardships bore with special severity upon women, and that the tendency was to degrade all white working people to the abject

condition of a servile class. From this cause there had sprung up a bitterly hostile feeling to the Chinese, sometimes exhibited in laws and ordinances of doubtful propriety, in the abuse of individual Chinese, and in cases of mob violence.

The committee held that an indigestible mass in the community, distinct in language, pagan in religion, inferior in mental and moral qualities, was an undesirable element in a republic, and especially so if political power should be placed in its hands; that the safety of the state demanded that such power should not be so placed, and the safety of the immigrant depended upon that power.

It was painfully evident from the testimony that the Pacific coast must in time become either American or Mongolian; that while conditions were favorable to the growth and occupancy of the Pacific States by Americans, the Chinese had advantages which would put them far in advance in the race for possession; and that the presence of Chinese discouraged and retarded white immigration.

By the judges of the criminal courts it was shown that there was a great want of veracity among Chinese witnesses, and that they had little regard for the sanctity of an oath. It was shown that they were non-assimilative with the whites, had no social intercourse and did not intermarry with them, and in a residence of twenty-five years had made no progress in that direction. They did not bring their families with them; all expected to return to China; and prostitutes were imported and held as slaves. It was claimed that in

point of morals they were far inferior to the European or Aryan race, and in brain capacity as well. It was admitted, however, that the Chinese merchants were honorable in their dealings.

It appeared from the evidence that they did not desire to become citizens nor to possess the ballot; and that to give the latter to them would practically destroy republican institutions on the Pacific coast, as they would be controlled by their "head-men," who would sell their votes, and that they had no comprehension of any form of government but despotism. It was also stated that they had a *quasi* government among themselves, independent of American laws, authorizing punishment of offenders against Chinese customs, even to the taking of life.

The committee recommended that measures be adopted by the executive looking to a modification of the existing treaty with China, confining it to strictly commercial purposes, and that Congress legislate to restrain the great influx of Asiatics. It was not believed that either of these measures would be looked upon with disfavor by China. But whether so or not, a duty was owing to the Pacific States, which were suffering under a terrible scourge, and were patiently waiting for relief from Congress.

Senator Morton, having died before reaching Washington, was not a participant in the concluding conferences at which the report of the committee was completed. From his strong personality, his great influence in Congress, and his powers of debate, it was fair to presume that, his life being spared, if he had not been

able to control the report of the committee, he would at least have so restrained the legislation of Congress as to have prevented the radical action taken by that body. He had prepared material which he designed to have incorporated in the report of the joint committee. These papers were submitted to the Senate after his death as embodying his views, and constituted a minority report.

He called attention to the "great and eternal doctrines of the equality and natural rights of man," which were the foundation-stone of the political system of the United States. Believing "that God has given to all men the same rights, without regard to race or color," it became a cardinal principle of the government, "proclaimed in the Declaration of Independence, in the Articles of Confederation, and recognized by our Constitution, that our country was open to immigrants from all parts of the world;" and that this invitation could not and ought not to be limited or controlled by race or color, by the character of the civilization, nor by the religious faith of the immigrants.

He referred to the great objections which had been urged to the Chinese and Japanese — their exclusiveness, their refusal to permit the people of other nations to settle in or travel through their countries and acquire a knowledge of their institutions. Now when the doors of China and Japan were thrown open, and Americans had the right to live there, to do business, and had complete protection, it was proposed to take a step backward by the adoption of their cast-off policy of exclusion. The argument set up in favor of this was

precisely what was so long used to excuse or justify the same policy in China and Japan, viz., that the admission of foreigners tended to interfere with their trade and the labor of their people, and to corrupt their morals and degrade their religion. Our only absolute security, he said, consisted in devotion to the doctrines upon which the government was founded, and that the profound conviction that the rights of men are not conferred by constitutions, which may be altered or abolished, but are God-given to every human being.

The senator's conclusion from the investigations of the committee was that the difference of the Chinese in color, dress, manners, and religion had more to do with the hostility to them than their alleged vices or any actual injury to the white people of California. It was the resurrection of those odious race distinctions which brought upon the United States the late Civil War, and from which it fondly hoped that God in His providence had delivered it forever.

The testimony showed, according to the senator, that the crops in California could not be harvested or taken to market without the aid of Chinese labor; that the railroads could not have been constructed without it; that it was doubtful if it had injuriously interfered with the white people of that State; that there was work for all; that the Chinese, by their labor, opened up large avenues and demand for white labor; that the first successful introduction of manufactures there was by the employment of Chinese labor, and as manufactories became established, the employment of Chinese gradually diminished, and white labor largely increased. The

inquiry failed to show that there was any considerable number of white people in California out of employment, except those who were willfully idle — the hoodlums and ruffians, — the most noisy in their outcry against the Chinese. That there had been many instances where Chinamen were employed in preference to whites because of their cheaper labor, was undoubtedly true, but not to an extent that could furnish just cause of complaint, requiring legislation or political action for its redress.

The testimony, he asserted, showed that the intellectual capacity of the Chinese is fully equal to that of the whites. It also established the fact that Chinese labor in California was as free as any other, and that there was no form or semblance of slavery or serfdom among them. The most of the Chinese immigrants were young, unmarried men; few families had come, and women were imported for immoral purposes. It was also true that they are peculiarly addicted to gambling, but probably not more so than the early white settlers of California when few had wives and families with them. This vice was greatly to be deplored, but it was not so peculiarly Chinese as to make it the basis of special legislation. They were not addicted to the use of intoxicating liquors, and kept no saloons. Their form of intemperance was in the use of opium; but it did not produce violence, and the number who practiced it was smaller than the number of whites who visit saloons and become intoxicated.

The senator referred to the Burlingame treaty of 1868, and especially to its articles V., VI., and VII.,

which provided for free emigration, residence, or travel, and the privileges of the educational institutions. When this treaty was concluded, he said, it was regarded by the whole nation as a grand triumph of American diplomacy and principles. It was especially a recognition by China of what might be called "the great American doctrine" of the inherent and inalienable right of man to change his home and his allegiance, — a doctrine for the recognition of which by the governments of Europe the United States had been struggling by negotiation ever since it had a national existence, and had succeeded with them one by one.

In conclusion the chairman of the committee contended that labor must needs be free, have complete protection, and be left open to competition. Labor did not require that a price be fixed by law, or that men who live cheaply, and can work for lower wages, shall, for that reason, be kept out of the country.[1]

The report of the committee was submitted just before the termination of the Forty-fourth Congress, in February 27, 1877; but the subject was brought before the next Congress, and after considerable discussion a bill was passed through both houses which so greatly restricted the immigration of Chinese into the United States that, in the language of the President, it fell "little short of its absolute exclusion," in direct violation of the Burlingame treaty of 1868. But in addition to this the bill provided for the abrogation of

[1] S. Report No. 689, 44th Cong. 2d Sess.; Misc. Doc. No. 20, 45th Cong. 2d Sess. As to immigration and the Six Companies, Speers's China, chaps. xvi., xix., xx.

Articles V. and VI. of the Burlingame treaty, relating to the free immigration and residence of Chinese in the United States.

This radical legislation indicated a great change in public opinion since the Burlingame treaty was proclaimed with such gratification ten years before; but this open disregard of international obligations shocked the moral sense of a large part of the American people, and led to such an expression of public sentiment as caused President Hayes to veto the bill, and it thus failed to become a law. The President in his message on the subject, while he appealed to Congress to "maintain the public duty and the public honor," recognized that the working of the Burlingame treaty had demonstrated that some modification of it was necessary to secure the country "against a larger and more rapid infusion of this foreign race than our system of industry and society can take up and assimilate with ease and safety," and he expressed the opinion that, if the Chinese government was approached in the proper spirit, the desired modification might be secured without the discredit to the nation which would result from the proposed legislation.

The President, in accordance with this policy, appointed in 1880 a commission, consisting of Dr. James B. Angell, president of Michigan University, John T. Swift, of California, and W. H. Trescot, a former assistant secretary of state, to proceed to Peking and secure by negotiation a change in the provisions of the treaty of 1868 respecting the immigration of Chinese to the United States. This commission was received in a

friendly spirit by the Chinese government, and within two months after its arrival at the capital a treaty on immigration was concluded and signed. By its provisions there was conferred upon the government of the United States, whenever in its opinion "the coming of Chinese laborers to the United States, or their residence therein, affects or threatens to affect the interests of that country, . . . power to regulate, limit, or suspend such coming or residence, but not absolutely to prohibit it." This power to limit immigration was only to apply to Chinese laborers, other classes of Chinese being permitted to enter freely and reside in the United States.

The Chinese government having in so gracious a spirit yielded to the desires of the American commissioners on the subject of immigration, the latter were very ready to gratify the former in the matter of the opium traffic, — a subject of extreme anxiety and embarrassment to the Chinese rulers. At their request a commercial treaty was signed, in which it was stipulated that "citizens of the United States shall not be permitted to import opium into any of the open ports of China, to transport it from one open port to another open port, or to buy and sell opium in any of the open ports of China;" and this absolute prohibition was to be enforced by appropriate legislation. A similar provision was inserted in the treaty of 1882 between the United States and Korea.

After the commercial treaty had been executed, Dr. Angell, the American minister at Peking and one of the commissioners, transmitted to the Secretary of State a

communication received by him from Mr. W. N. Pethick,[1] an American citizen long resident in China, and then the private secretary of the Chinese grand secretary, Li Hung Chang, as indicative of the importance which the Chinese attached to the opium prohibition contained in that treaty. The letter is of much interest, for it reviews the history of the opium traffic and the Chinese view of it, and shows the high appreciation in imperial circles of the action of the American commissioners. He states that China has never consented to bear without murmur the great wrong of the opium traffic which was forced upon her; neither has the government been indifferent to the spread of the evil. Blood and treasure were spent freely in combating its introduction, and, though defeated in war, the government has not remained a silent or unfeeling witness of the blight extending over the country. He says that the single article of opium imported equals in value all other goods brought into China, and is greater than all the tea or all the silk (the two chief articles of export) sent out of the country, — which show that the black stream of pollution which has so long flowed out of India into

[1] Mr. Pethick, after serving in the Union army during the Civil War, at its close went to China, where he made himself master of its difficult language, was engaged for some time as interpreter in the United States legation and consulates, and for a number of years acted as the confidential secretary of Li Hung Chang. His influence upon that statesman and upon Chinese politics was very decided, and always in the direction of liberal ideas and progress. He was a man of much erudition, and is said to have read in translation to Li several hundred English, French, and German books. He assisted the latter in his peace negotiations of 1901, and died at the close of that year, greatly respected in both Chinese and foreign society.

China has been increasing in volume and spreading its baneful influence wider and wider. Americans have been engaged in the trade in common with other foreigners; but the United States, by a bold and noble declaration against opium, now stands in the right before the world and the God of nations. It has, he writes, encouraged long deferred hope, confirmed oft-defeated determination; it has nerved the arm of the government with new strength, and we shall see China once again grappling with the monster that is stealing away the prosperity and energies of her people.

But these hopes proved entirely illusory. Prince Kung again urged the British government to stop the importation of opium, upon the stipulation that its cultivation in China would be prohibited, but the proposition was not entertained. An association was organized in England to create a public sentiment in favor of the suppression of the trade; and Li Hung Chang, in an interview with the American minister, Mr. Young, in 1882, spoke hopefully of its influence on the British government, and gave him for transmittal to his government a copy of a letter which he had written to the Anti-Opium Association, which presents the Chinese view of the question with much force.

The following extract will indicate the spirit of the letter: "Opium is a subject in the discussion of which England and China can never meet on common ground. China views the whole question from a *moral standpoint*, England from a *fiscal*. England would sustain a source of revenue in India, while China contends for the lives and prosperity of her people. . . . The

present import duty on opium was established not from choice, but because China submitted to the adverse decision of arms. The war must be considered as China's standing protest against legalizing such a revenue. . . . The new treaty with the United States containing the prohibitory clause against opium encourages the belief that the broad principles of justice and feelings of humanity will prevail in future relations between China and the Western nations."

But the action of Dr. Angell and his colleagues in inserting the opium prohibition in that treaty came too late. The success which had attended the efforts of the Japanese, a kindred race, shows that prohibition can be made effective, but the evil had then become too deeply rooted in China, and the revenue derived by India from the trade was too important to be surrendered.

It is gratifying to record that the government of the United States from the beginning has sought to discountenance the traffic. In the first treaty with China, that of 1844, it was provided that "citizens of the United States . . . who shall trade in opium or any other contraband article of merchandise, shall be subject to be dealt with by the Chinese government without being entitled to any countenance or protection from that of the United States." When Mr. Reed was sent out to negotiate the treaty of 1858, he was instructed to say to the Chinese government that its effort "to prevent the importation and consumption of opium was a praiseworthy measure," and "that the United States would not seek for its citizens the legal

establishment of the opium trade, nor would it uphold them in any attempt to violate the laws of China by the introduction of that article into the country." Dr. Martin, who acted as interpreter on the occasion, states that in the first draft of the treaty submitted by Mr. Reed to the Chinese there was an article denouncing and forbidding the opium trade, but that he was induced by Lord Elgin, the British plenipotentiary, to withdraw it, greatly to the surprise of the Chinese negotiators. There is much to be said in commendation of the British government in its relations with the Orient, but its connection with the opium traffic of China has left a dark and ineffaceable stain upon its record. In this matter the greed of the East India Company and its successor, the government of India, triumphed over the moral sentiment of the nation, which has done so much for the amelioration of the condition of mankind.[1]

In execution of the treaty of immigration of 1880, the Congress of the United States passed an act in 1882 prohibiting or suspending the coming of Chinese laborers into the country for a period of twenty years. This second attempt of Congress to legislate respecting Chinese immigration was met by a veto from President Arthur, on the ground that a prohibition of immigration for so long a time as twenty years was not warranted by the spirit of the treaty and was in violation of the assurances given by the commission which negotiated it that the large powers conferred on Congress "would be exercised by our government with a wise

[1] U. S. Treaties, 184 ; U. S. For. Rel. 1881, p. 216 ; 1883, pp. 123, 128 ; S. Ex. Doc. 30, 36th Cong. 1st Sess. p. 8 ; Martin's Cathay, 184.

discretion, in a spirit of reciprocal and sincere friendship, and with entire justice." The President, in calling the attention of Congress to these assurances and to the concession made by China granting the power to fix limitations upon the coming of Chinese laborers, said: "China may therefore fairly have a right to expect that in enforcing them we will take good care not to overstep the grant and take more than has been conceded to us." Congress gave heed to the appeal of the President, and modified the proposed legislation by limiting the suspension of the immigration of Chinese laborers to ten years.

The treaty of 1880 contained a stipulation that the Chinese laborers in the United States at the time of its signature should be permitted to leave the country and return "of their own free will and accord." Before the ten years period of prohibition of immigration had expired a demand was made upon Congress for the enactment of more stringent legislation, based upon the allegation that fraud was being practiced in the exercise of the privilege granted by the treaty of the departure and return of laborers. It was charged that Chinese, after having resided in the United States for several years and acquired a competency, returned to China where they remained, and that other Chinese falsely assumed their personality and thus unlawfully secured admittance into the United States.

To remedy this defect a new treaty was negotiated between the Secretary of State and the Chinese minister in Washington in 1888, whereby the privilege of the departure and return of Chinese laborers lawfully

in the United States was restricted to those who had property to the value of $1000, or a wife or children in the country, and the government of the United States was authorized to adopt suitable regulations to prevent fraud. Provision was also made in the treaty for an indemnity to be paid the Chinese government to compensate for the loss of life and property of Chinese laborers occasioned by riots at Rock Springs in Wyoming, Tacoma in the State of Washington, and at other places, growing out of the antipathy and opposition to Chinese.

The treaty was ratified by the Senate of the United States with certain amendments, and the Chinese government likewise proposed amendments. While these negotiations were taking place a presidential electoral campaign was in progress, the labor unions of the Pacific States were especially clamorous for the adoption of further restrictions on Chinese immigration, and the votes of those States seemed likely to be cast in favor of the presidential candidate whose party was most radical in its opposition to the Chinese. Under the spur of the exigencies of the campaign and the uncertainty of the ratification of the new treaty by the Chinese government, a law was hastily passed through Congress absolutely prohibiting the admittance of Chinese laborers into the United States. Although this legislation, known as the Scott Act, was in direct violation of treaty, President Cleveland allowed it to become a law, justifying his action by the failure of China to ratify the new treaty; but he recommended that the indemnity provided for in the treaty on account of the

riots be paid to China, and the sum of $276,619 was accordingly appropriated by Congress for that purpose.

The President was, however, unwilling to allow the stain of treaty violation to rest upon the honor of the United States, and the Secretary of State entered anew into negotiations with the Chinese minister in Washington, which resulted in the signature of a treaty in 1894 similar in most respects to the unratified treaty of 1888, and which was accepted by both governments.

The treaty of 1894 stipulated for the prohibition by the United States of the admission of Chinese laborers for the term of ten years. In anticipation of the expiration of that term the Fifty-seventh Congress took up the subject of the reënactment of the existing legislation, which would come to an end by limitation. The sentiment against Chinese immigration had strengthened with the lapse of time, under the increasing political influence of labor organizations, and bills of like character which added still further restrictions to those in the existing laws were reported by the respective committees in the two houses. The prohibition of the immigration of Chinese laborers was made perpetual; those lawfully in the United States were not to be permitted to pass to or from the insular possessions and the mainland territory; conditions were added to the admission of merchants, scholars, teachers, and travelers which amounted almost to a prohibition; limitations were placed upon the transit of Chinese laborers through the territory of the United States en route to other countries; and other provisions were

proposed which it was asserted were in conflict with the treaties with China. It was claimed that these additional measures were made necessary by the frauds practiced by the Chinese laborers in their great desire to gain admittance to the United States.

The bill from the committee passed the House of Representatives without much opposition, but the subject caused an animated debate in the Senate. Senator Lodge, who was one of the ablest supporters of the bill, at the close of a lengthy speech on the subject, based his opposition to immigration of the Chinese upon two grounds. He said: "The first reason is that they are members not of a new malleable people who can come here and adopt our methods and imbibe our ideas. They are members of an old and immutable civilization. They never can form a part of a body of American citizenship. They do not wish to do so. They would not do so if they could. They have come here simply for profit. A great race that means to do that and nothing else in the United States is better outside the line than inside. And, second, I am in favor of Chinese exclusion because the Chinese can create economic conditions in which we cannot survive. It is not a question of the fittest surviving, but a question of the survival of the fittest to survive. The best do not necessarily survive, and here we have a people 450,000,000 strong, who can produce an environment and a standard under which we cannot live."

The senators who opposed the passage of the bill conceded that the further coming of Chinese laborers to the United States should be prohibited; but they

contended that those in the country should not be treated unjustly or harshly; that the census reports showed that the Chinese population in the country was decreasing, and hence there was no occasion to enact more restrictive measures; and, above all, that there should be no legislation which would look towards a disregard of treaty stipulations. It was also urged that it was bad policy to adopt measures which would offend the Chinese people at a time when earnest efforts were being made to increase commercial relations with that country.

The result of the debate was the defeat of the bill embodying the stringent provisions proposed by the committee, and the adoption of a substitute offered by Senator Platt, of Connecticut, which continued in force the existing laws and regulations, not inconsistent with the treaty, until 1904, or until a new treaty should be made.[1] It was a distinct defeat of the anti-Chinese extremists and a clear indication that the sober public

[1] 7 Presidents' Messages, 514; 8 Ib. 113, 634; U. S. For. Rel. 1881, China; Ib. 1888, China; Ib. 1894, China; U. S. Treaties, 182; U. S. Treaties in Force (ed. 1899), 122; Chinese Immigration, by S. Wells Williams, New York, 1877; 2 Blaine's Twenty Years in Congress, 651. For debate in Senate, 1902, Cong. Record, 57th Cong. 1st Sess. pp. 3880–4509, 5050, 5051. For laws of Congress as to Chinese immigration, 22 Stat. at Large, 58; 23 Ib. 115; 25 Ib. 476, 504; 27 Ib. 25; 28 Ib. 7; and Act of April 29, 1902. For comments on legislation, N. A. Rev. July, 1893, p. 52; Hon. Charles Denby in Forum, July–Sept. 1902; Report on Certain Economic Questions in the Orient, by Prof. J. W. Jenks, War Department, Washington, 1902, Chinese Immigration in Colonies, chap. iii., Chinese Immigration to the Philippines, 157. The Acts of Congress respecting immigration have been frequently considered by the U. S. Supreme Court. The leading case is Fong Yue Ting et al. *v.* United States, 149 U. S. Reports, 689.

opinion of the country favored a faithful adherence to treaty obligations.

From the foregoing narrative it is seen that a radical change in public opinion respecting Chinese immigration has taken place in the United States since the Burlingame treaty was proclaimed with so much pride and satisfaction in 1868. Even the lofty and noble sentiments embodied in the minority report of Senator Morton in 1877 have given place to a more perfect realization of the economic conditions as shown by experience. While the principle of expatriation is still adhered to and insisted upon by the government of the United States, it holds that citizenship is a privilege to be conferred and not a right which can be claimed by every foreigner who enters the country. It maintains, further, the right to exclude from its territory any class of people whose coming it may judge to be harmful or undesirable. A majority of the people of the United States have reached the conviction that it is not wise to allow the free and unrestricted immigration of people of the Asiatic races, and that it is especially desirable to exclude Chinese laborers from its territory.

On the other hand, it has been seen that the government of the United States is unwilling to allow the reproach to attach to it of a disregard of treaty obligations. When in time of political excitement the popular branch of the government has temporarily yielded to public clamor, the executive head of the government has not failed to interpose, and in every instance Congress has listened to the voice of reason and the appeal to national honor, and has corrected its legislation to

meet the views of the executive department, which conducts the foreign intercourse.

It has also been seen that the government of China has in this matter shown a commendable spirit of friendliness and concession. It allowed the Burlingame treaty to be framed to suit the views of the United States. When it became apparent that a change in public sentiment in the latter country had taken place, it acquiesced in the request for a radical modification of that treaty which materially restricted the privileges of its own subjects. And a second time, when it was approached for another treaty change, it consented to limit still further the treaty rights of its people. The outrages which they have at times suffered by mob violence or at the hands of overzealous officials are not attributed to the ill-will of the government of the United States, neither has the harsh legislation, much as it is regretted, been allowed to change the friendly relations of the two nations. Each recognizes the difficulties of internal administration, and does not require of the other impossible conditions.

IX

KOREA AND ITS NEIGHBORS

Korea, or Chosen, as it is officially styled, — the Land of the Morning Calm, — has been for ages the scene of conflict between its ambitious neighbors. Its geographical position, a peninsula extending into waters which wash the shores of powerful and rival nations on the east, north, and west, has made it a constant sufferer from invading armies, kept it in subjection, and wasted its resources. It has been fitly termed "the Naboth's Vineyard of the Far East," coveted by great nations both in ancient and modern times.

Its people lay claim to a history of four thousand years. Centuries before the Christian era it had experienced invasion both from China and Japan, and through the succeeding ages it was dominated by one or the other at recurring periods. When the Mongols became powerful under the Manchu sovereigns, and before their conquest of China, Korea felt the devastating effects of their armies. In modern times the kingdom sent embassies and paid tribute concurrently to China and Japan, up to 1832, when these evidences of vassalage ceased respecting Japan, though China continued to exercise suzerainty until her overlordship was completely removed by the late Chinese-Japanese war. During the last half of the nineteenth century Korean

territory has been invaded by four of the nations of the West, France, the United States, Great Britain, and Russia. To-day it is a threatening cause of conflict between Japan and Russia.

European commercial activity, which followed the maritime discoveries of the Portuguese in the fifteenth and sixteenth centuries, found nothing to attract it in poverty-stricken Korea, exhausted by war and taxation. The first recorded formal attempt to open trade with Korea took place in 1832, when the British East India Company fitted out a ship at Canton and sent her on a voyage of commercial exploration to that country. Dr. Gutzlaff, the German missionary, then in the service of the American Board of Missions, went as a passenger in the hope of finding an opening for mission work. The vessel spent a month on the southern coast, and presents were sent to the king of Korea, but they were refused by him. Dr. Gutzlaff, through his knowledge of the Chinese language, was able to communicate with the natives, and occupied himself with medical attention to the people, planting potatoes and teaching their cultivation, and with futile efforts at the distribution of Bibles and works on geography and mathematics in Chinese translations. The expedition was both a commercial and religious failure.[1]

[1] For account of early Dutch intercourse (1653), Narrative of an Unlucky Voyage and Shipwreck on the Coast of Corea, by Henry Hamel, republished in Corea, Without and Within, by W. E. Griffis, Philadelphia, 1885. Voyages along the Coast of China, etc., by Charles Gutzlaff, New York, 1833, pp. 254, 332. Corea, The Hermit Nation, by W. E. Griffis, New York, 1897, pp. 169, 359; China and Her Neighbors, by R. S. Gundry, London, 1893.

The first effort to introduce Christianity into Korea was in 1783, and had its origin with the French Jesuits then established at Peking. Although the new religion was strictly forbidden, and its propagators and adherents were visited with bitter persecution, for three quarters of a century the Catholic missionaries, with a heroic devotion undaunted by expulsion and death, persisted in their efforts and were rewarded by some degree of success. During this period measures were adopted at various times for the extermination of the hated foreign sect, but the work of the missions was prosecuted in secret, and the native Christians by thousands continued true to their faith.

In 1866 a fresh outbreak of persecution occurred, and the government resolved to utterly extirpate the foreign religion. Three bishops and seventeen priests were cruelly put to death by the express order of the authorities, and only three escaped and fled to China. The martyrdom of the foreign clergy was also attended with the slaughter of several thousand native converts. The missionaries executed by the government were, with few exceptions, French subjects, and the diplomatic representative of Napoleon III. at Peking immediately took steps to inflict exemplary punishment upon the Koreans.

In October, 1866, the French admiral, with six vessels and 600 men, reached Korean waters in the vicinity of Chemulpo, destined for the capital to dethrone the king and punish his officials for the murder of the French clergy. He captured and burned Kang-wa, a city of 20,000 inhabitants, situated on an island in the

bay, but found the Korean army gathered in large force to dispute his progress. A portion of his command fell into an ambush, suffered heavy loss, and were forced to retreat. Minister Burlingame, in his report of the expedition, wrote: "Admiral Roze, probably finding that nothing could be done with his limited force, left Corea to recruit it, with which he cannot return until next spring or summer." But when the news of the failure reached Napoleon, he had other and more pressing need for his army and navy, and after the war with Germany the new French government was content to drop the Korean affair.[1]

It was least to be expected that the United States would be the next nation to engage in a conflict with this far-off country, but an event occurred in the same year the French priests were executed which was to bring about such a result. On the 8th of August, 1866, an American schooner, the General Sherman, chartered by a British firm in Tientsin and laden by it with a cargo of merchandise, left Chefoo, China, for Korea on a trading venture. It had on board three Americans, the captain, mate, and overseer, two British subjects, the supercargo and interpreter, and a crew of fifteen or twenty Chinese. The vessel entered the Ta Tong River and ascended it to the vicinity of Ping An, where a few days afterwards the entire crew were killed and the vessel burned.

The accounts differ as to the circumstances attending

[1] Histoire de l'Eglise de Corée, par Ch. Dallet, Paris, 1874; Griffis's Corea, The Hermit Kingdom, pp. 373, 577; Gundry's China, 228; U. S. Dip. Cor. 1866, p. 536; 1867, pp. 416, 419–426.

this event. The Korean government reported that the crew provoked an altercation with the people of the vicinity which resulted in the death of the crew and destruction of the vessel. Another account was that the crew were taken prisoners by the governor of the province and decapitated by order of the king. Two American naval vessels, dispatched in 1866 and 1867 to the vicinity, brought back the same conflicting reports.

The vessel was engaged in an illicit trade, as all intercourse with foreigners was forbidden by Korean law. A most unfavorable time was selected for the voyage, following the massacre of the foreign missionaries and the Christians, and when the French government was in active preparation for its warlike expedition. It was currently reported that one object of the voyage was to plunder the tombs of the kings at Ping An, and the fact that the schooner was heavily armed lent color to this report. This latter fact, in the opinion of Mr. Burlingame, may have led the Koreans to confound them with the French.

Two months before the destruction of the General Sherman, another American ship, the Surprise, was wrecked on the Korean coast. The crew were kindly treated by the authorities, transported on horseback and with all necessary comforts to the northern frontier, and delivered to the Chinese officials. By the latter they were harshly received and they secured their release only through the intervention of a Catholic priest, who was presented by Congress with a gold watch for his kindness, accompanied by the thanks of the President.

Minister Burlingame reported the case of the General

Sherman to the American admiral on the Asiatic station, with a suggestion that he inquire into the facts and report the same to the government at Washington for instructions. The case was likewise reported by the British minister to the British naval commander. In view of these events Mr. Burlingame anticipated that a large fleet of French, American, and British vessels would be in Korean waters the next year, and he wrote the Secretary of State: "If my advice can have any weight, it will be that our presence there should rather restrain than promote aggression, and serve to limit action to such satisfaction only as great and civilized nations should, under the circumstances, have from the ignorant and weak." Unfortunately Mr. Burlingame did not remain in the legation, and other counsels prevailed at Washington.

The investigations made by the American vessels sent by the admiral to Korea did not seem to justify any action and none was taken. The same course was adopted by the British government. But a year later the United States consul-general at Shanghai, Mr. George F. Seward, reported to the Secretary of State that he had learned of the arrival at Shanghai of a Catholic priest and a party of Koreans, who had been sent by the Korean government to ascertain if an embassy would be kindly received if sent to America and France to explain and make reparation for the destruction of the General Sherman and the murder of the French missionaries. His informant, also, told Mr. Seward that Korea was ready to make commercial treaties and open up the country to foreign trade.

Upon this information the consul-general proposed that he be sent to Korea, with a naval force consisting of two or more of the men-of-war on the Asiatic station, "to ask for an official explanation of the Sherman affair, and to negotiate, if possible, a treaty of amity and of commerce." Secretary Fish communicated this information to the American minister at Peking, Mr. Low, and stated to him that "it has been decided to authorize negotiations to be had with the authorities of Corea, for the purpose of securing a treaty for the protection of shipwrecked mariners, and to intrust the conduct of the negotiations to you. Should the opportunity seem favorable for obtaining commercial advantages in Corea, the proposed treaty should include provisions to that effect." Reference has been made to the resolution introduced in Congress in 1845, looking to the opening of trade with Korea (page 142) and the subject had been from that date in the mind of the government. Mr. Low was instructed "to exercise prudence and discretion, to maintain firmly the right of the United States to have their seamen protected, and to avoid a conflict by force unless it cannot be avoided without dishonor." He was also informed that the admiral in command of the Asiatic squadron had been directed to accompany him, "with a display of force adequate to support the dignity of the United States."

From the outset Mr. Low manifested a want of confidence in the expedition, but he entered resolutely upon the execution of the instructions of his government. Admiral Rodgers and Consul-General Seward were invited to Peking for conference, and the Chinese gov-

ernment was asked to notify the Korean authorities of the coming of the American minister and the object of his visit. The Tsung-li Yamen replied "that though Corea is regarded as a country subordinate to China, yet she is wholly independent in everything that relates to her government, her religion, her prohibitions, and her laws," and that though the request "was an extraordinary favor, quite in excess of usage," the notice would be sent.

On May 30, 1871, the American minister, escorted by Admiral Rodgers in his flagship, with four other naval vessels, appeared in Korean waters near Chemulpo, the harbor nearest to the capital. Some difficulty was experienced in finding officials with whom to communicate, but notice was given that the mission of the squadron was peaceful, that it would remain in the vicinity till communication could be had with the king, and that meanwhile some of the ships would be sent up the channel nearer the capital to make surveys. Two days after their arrival, two of the vessels, with four steam launches started up the narrow channel leading to the city of Kang-wa destroyed by the French, and the sea-gate to the capital. Here they were fired upon by the Korean forts. The fire was returned by the ships and the forts silenced without loss on the part of the Americans.

This action satisfied Mr. Low that the government of Korea was determined to resist all intercourse and that his mission was a failure. Nothing remained to be done, in his opinion, but to prevent this attack from being construed into a defeat of the "barbarians" and

from injuring American prestige in China. It was decided to demand from the local authorities an apology for this attack, and, in its default, to inflict some exemplary punishment. On June 10, ten days having expired without the receipt of the requisite apology, a force of seven hundred and fifty men was landed from the squadron and destroyed the forts which had fired upon the vessels, it having been determined to confine the punitive operations to them.

The loss of the Americans was three killed and nine wounded. Among the killed was Lieutenant McKee, who in the assault was the first to mount the parapet and leap inside the fort. His father had fallen in the Mexican war at the head of his men.[1] Mr. Low reports that "about two hundred and fifty of the enemy's dead were counted lying on the field, fifty flags, and several prisoners of war were captured and brought away. . . . All accounts concur in the statement that the Coreans fought with desperation, rarely equaled and never excelled by any people." Such is the record of America's first contact with the Hermit Kingdom.

During the interval between the first attack and the assault upon the forts, some interesting correspondence had taken place between the Korean officials and Minister Low. Two days after the first firing upon the vessels the governor of the province sent him a

[1] "In the chapel of the Naval Academy at Annapolis, a tasteful mural tablet 'erected by his brother naval officers of the Asiatic squadron,' with the naval emblems — sword, belt, anchor, and glory-wreath — in medallion, and inscription on a shield beneath, keeps green the memory of an unselfish patriot and a gallant officer." Griffis's Corea, The Hermit Kingdom, 418.

communication protesting against the armed vessels entering into the narrow strait whose passage was guarded by forts. He says: "Our kingdom is placed east of the Eastern sea. Your honored country is located west of the Western ocean. All wind and sands for the extent of 70,000 li. For four thousand years there has been no communication between your country and ours. It may be said that it is Heaven's limitation that has placed us so remote from each other, and earth that has hung us so far apart as to cut us off from each other. . . . There has formerly been not a particle of ill feeling between us. Why should arms now drag us into mutual resentment? If you ask us to negotiate and carry our friendly relations, then let me ask how can four thousand years' ceremonies, music, literature, and all things, be, without sufficient reason, broken up and cast away? . . . It would be better early to make out a right course of action and each remain peacefully in his own place. We inform you that you may ponder and be enlightened." Wisely did Mr. Low conclude that further negotiation with such a people, either by diplomacy or the cannon, would be of no avail.

On his return to China the minister felt it his duty to report to the Department of State that the information upon which Secretary Fish had ordered the expedition was entirely without foundation. "I feel bound to say," he wrote, "that the consul-general's informant fabricated, for ulterior and base purposes, the information embodied in the dispatches before referred to. There is no reason to suppose that it contained the least shadow of truth." The President in his annual

message of 1871 reported the facts to Congress, with copies of the correspondence, and said, "I leave the subject for such action as Congress may see fit to take." But there was no further action, as none could properly be taken respecting an unwarranted enterprise so injudiciously inaugurated, which placed the American minister and the navy in a false light before the world, and which may be regarded as the most serious blunder of American diplomacy in the Orient.[1]

The official record is sufficiently humiliating to Americans, but a vein of the ludicrous is given to it when it is learned from Consul-General Seward's reports that his informant was an American adventurer named Jenkins, who had misled him deliberately to cover an unlawful expedition which he was then organizing in conjunction with a French priest and a German described by Mr. Seward as a Hamburg citizen and referred to by historians of the country as a "Jewish peddler." The priest joined the expedition in the hope that it might be the means of opening the country to missions, he having been expelled from it. Mr. Seward says the expedition had "for its object to exhume the remains of a dead sovereign, and to hold the bones for profit."

The money to charter and arm a vessel flying the German flag was furnished by Jenkins. The German, who had made several surreptitious visits to Korea, directed the movement. With a crew of Chinese and

[1] U. S. Dip. Cor. 1867, pt. i. 414, 427, 459; 1868, pt. i. 544–551; For. Rel. 1870, pp. 333–339, 362; 1871, pp. 73, 111, 115, 127–149; 1874, p. 254; 7 Presidents' Messages, 145, Ex. Doc. 1 pt. 3, 42d Cong. 2d Sess. 275; Griffis' Corea, 391–395; 503–419; Gundry's China, 240.

Manila-men a descent was made on the Korean coast and the locality of the tomb reached. The earth was removed from the mound, but the sarcophagus was found to be too strong for the shovels and other instruments carried by the workmen. On the return of the armed party to the vessel, one of the crew captured a calf, and was carrying it away when he was attacked by the natives and a general conflict followed, resulting in the loss of some of the crew and the killing of a number of the Koreans. This action defeated the object of the expedition and the party returned to Shanghai, where Mr. Seward caused the arrest and trial of Jenkins, on the charge of fitting out a hostile expedition. He was acquitted upon a Scotch verdict of "not proven," but Mr. Seward states that there was no question of his guilty connection with the disgraceful affair.[1]

Just before the massacre of the French and native Christians in 1866 a Russian man-of-war appeared off Gensan, a port on the eastern side of the peninsula, and demanded the right to trade, but the request was refused. In 1869 the German minister to Japan made a visit to the Japanese settlement at Fusan, and sought through a Japanese, whom he had brought on his ship, to open negotiations; but the Korean authorities not only refused to receive the proposals, but threatened to break off all relations with the Japanese settlement if the effort was persisted in; whereupon the minister quietly returned to his post at Tokio.

[1] U. S. Dip. Cor. 1868, pt. i. 548; For. Rel. 1870, p. 337; Griffis's Corea, chap. xlv.

The visits of the French and American squadrons and their withdrawal without accomplishing their purpose were interpreted by the Koreans as great military triumphs, and made them even more determined in their policy of exclusion over the foreigners. For some years after these events the Western powers desisted from further attempts to hold intercourse with them. The Japanese, after the reinstatement of the Mikado in power, made an effort to have the former relations between the two governments reëstablished, with a renewal of the Korean embassies and tribute, but the effort was haughtily rejected by the Koreans, influenced, it is believed, to this course by the Chinese. Further attempts which were made to establish intercourse were futile, and the Japanese settlement at Fusan on the southern end of the peninsula was greatly restricted in its privileges. The Japanese were incensed at this treatment, and a large party in the country looked forward hopefully to another conflict with their neighbors which might bring them again under subjection to the Island Empire.

An opportunity to realize their hopes seemed to offer itself in 1875, when a Japanese man-of-war, cruising along the coast, was attacked by the same forts which had been the scene of conflict with the French and American squadrons. Japan seemed ready to declare war, but more sober counsels prevailed, and it was determined first to send a mission to Korea and solicit a treaty of intercourse and commerce. If such a treaty should be refused, war was to follow. An able representative was sent to Peking to notify the Chinese

government of the purpose of Japan in dispatching a mission to Korea, and to ascertain whether its suzerain authority would be infringed by this act. The Chinese government, fearing it might be held responsible for the acts of Korea against the French and Americans, disclaimed any control over that kingdom in its treaty relations, which left Japan free to pursue its plans.

The mission, consisting of a prominent general of the army and Inouye Kaoru, an experienced statesman, was accompanied by two men-of-war and three transports carrying a force of eight hundred marines. The squadron anchored in the same waters as their French and American predecessors. Acting upon the advice of the Chinese government, the Korean king sent a deputation to meet the Japanese commissioners and with little delay a treaty of amity and commerce was signed, February 27, 1876, Korea being unwilling to risk a conflict with its more powerful neighbor by a further refusal of intercourse.

By the terms of the treaty the independence of Korea was recognized, three Korean ports were to be opened to Japanese trade, and a diplomatic minister was to reside at Seoul, the capital. The Korean commissioners during the negotiations made it clear that the treaty was to be confined in its application to Japan and that all Western nations were to be excluded from its benefits. They also pleaded with the Japanese to exert their influence to prevent strangers from a distance attempting to visit their country. The same spirit was shown in the dispatch of the Korean embassy to Tokio after the signature of the treaty. It came, as

similar Korean embassies had come centuries before, with great display of barbaric splendor, the ambassador being borne on a platform covered with tiger skins, and resting on the shoulders of eight men, with a servant bearing an umbrella of state over his head. During his stay in Japan he resisted all attempts of foreigners, officials or others, to have any intercourse with him. The treaty was rather a renewal of the ancient relations, than a manifestation of any disposition to open the country to foreign intercourse.[1]

Encouraged, however, by the success of the Japanese, various European nations continued their efforts to communicate with the government at Seoul. A British vessel was wrecked on the island of Quelpart in 1878, and the Koreans rescued the crew, salved the cargo, provided transportation for both to Nagasaki, and refused to accept any compensation for their services. Taking advantage of this event, the British secretary of legation at Tokio was sent in a British naval vessel, ostensibly to make formal acknowledgment of this worthy conduct, but with instructions to establish permanent intercourse with the Korean authorities, if possible; but his mission to that end was a failure.

Other attempts followed in 1880 and 1881. Russian, British, and French naval vessels touched at different ports, and sought to communicate with the authorities

[1] Leading Men of Japan, by Charles Lanman, New York, 1883, pp. 356–386; Griffis's Corea, 420–423; U. S. For. Rel. 1876, pp. 370, 376; Gundry's China, 244; Problems of the Far East, by George N. Curzon, 1896, p. 191.

at Seoul, but all their applications were firmly declined. The Duke of Genoa, making a tour of the world in an Italian man-of-war, touched at Fusan, hoping through the Japanese agents at that settlement to effect some communication with the king, but the local officials refused to receive or forward his letters. Not discouraged, he went to Gensan, and spent some time in the harbor of Port Lazareff, establishing pleasant relations with the local authorities. He threatened that unless they transmitted his letter to the king at the capital he would land a force of marines and send it by them; but the most he could accomplish was to have the prefect of the port make a copy of his letter, with the promise to send it with his report of the visit to the governor of the province.[1]

But notwithstanding this outward show of a fixed determination to keep the "Land of the Morning Calm" in strict seclusion, influences were at work which were destined to bring about a change in the policy of the government. Members of the embassy to Japan, after seeing the advance of that country under foreign influence, had returned with modified views as to the true interests of their people. The presence at Seoul of Japanese and Chinese diplomatic officials and of soldiers armed and drilled in Western style were affording an insight, even though imperfect, of the benefits of modern civilization.

In 1881 a Korean attached to the Chinese legation in Japan sent a notable memorial to the king, which attracted great attention at the court of Seoul. He

[1] U. S. For. Rel. 1879, p. 612; Griffis's Corea, 426, 428; Gundry's China, 245.

pointed out that the most threatening danger to his country was from Russia, and that it should abandon its seclusion and look for friends among the Western nations as well as China and Japan. Of these nations, he said, the one most friendly to Asiatic countries was the United States, and he urged the king to secure its friendship by a treaty. The memorial reached the capital at a favorable time, as a change of administration had brought liberal advisers into power. On the return of the author to Seoul, delegates were sent to Tientsin to confer with the viceroy Li Hung Chang, who at that time was directing the foreign policy of China. That shrewd statesman readily saw that Korea could not maintain its policy of seclusion, and he encouraged the plan of a treaty with the United States.

The failure of the ill-advised expedition of 1871 had not discouraged the government at Washington, and it still cherished the hope of securing a commercial foothold in the kingdom. In 1878 Senator Sargent, of California, introduced a resolution requesting the President to "appoint a commissioner to represent this country in an effort to arrange, by peaceful means, . . . a treaty of peace and commerce between the United States and the kingdom of Corea." In a speech which he made on this resolution the senator justified the action of the Koreans respecting the General Sherman, and condemned the attacks upon the forts by the navy in 1871. Although no formal action was taken on the resolution, the following year Commodore R. W. Shufeldt was dispatched in a naval vessel to the China seas, with instructions to make, if possible, a treaty with

Korea. He visited Fusan in 1880 in an effort to execute his instructions, and met with the same refusal that other foreign officials had experienced. But the American legation in Peking had received intimations of the change of sentiment in the Korean court, and Commodore Shufeldt was temporarily detached from sea service and ordered to report to the minister at the Chinese capital, with the object of studying the situation of affairs, so that he might be prepared to take advantage of any favorable opportunity which should present itself in Korea.

The commodore spent the winter of 1881–2 in Peking, and by March it became known to the legation through Li Hung Chang that the Korean government was willing to enter into a treaty with the United States. As soon as the season would permit, steps were taken to make ready a naval vessel, and on May 7 Commodore Shufeldt in a United States man-of-war arrived at Chemulpo, with full power to negotiate and sign a treaty. He was accompanied by three Chinese naval vessels bearing Chinese commissioners, likewise authorized to make a treaty on behalf of China. Both parties being of the same mind as to the general object, little time was required to agree upon the details. On May 24, 1882, a "treaty of peace, amity, commerce and navigation" between the United States and the kingdom of Korea was signed, with simple ceremonies, in a temporary pavilion on the shore opposite the anchorage of the commodore's vessel, and the "Hermit Kingdom" of the East entered into the family of nations under the auspices of the young republic of the West.

Commodore Shufeldt had, at the date of the signing of the treaty, served forty-three years in the navy, during which he had performed important duties in connection with the slave trade and in the Civil War. This diplomatic mission did not come to him by chance, but he, like Perry, was selected for it because of his fitness to perform its duties. He had discharged with credit a diplomatic trust in Mexico during the Civil War, and had made himself conversant with Korean affairs by two previous visits to that country. His last diplomatic success added another worthy page to the history of the peaceful achievements of the American navy.

By the terms of the treaty the United States was admitted to trade in the three ports already opened to the Japanese, and to such as might be afterwards opened to foreign commerce; diplomatic and consular officers were to be received; provision was made for the case of shipwrecked vessels, and other usual stipulations of commercial treaties; traffic in opium was prohibited; and exterritorial jurisdiction was given to American consuls, — but the following provision was inserted: "Whenever the king of Chosen shall have so far modified and reformed the statutes and judicial procedure of his kingdom that, in the judgment of the United States, they conform to the laws and course of justice in the United States, the right of exterritorial jurisdiction over United States citizens in Chosen shall be abandoned;" and the two countries were to be open to the residence respectively of the citizens and subjects of the other to pursue their callings and avocations.[1]

[1] For Sargent resolution and speech, 7 Cong. Rec. pt. iii. pp. 2324,

A leading London journal, in announcing the signing of the American-Korean treaty, recalled the feat accomplished thirty years before by Perry, who, "overcoming obstacles which had baffled almost every European nation, and without firing a shot, or leaving ill-feeling behind, succeeded in opening Japan to foreign intercourse," and said: "The conclusion of a treaty between the United States and Corea adds another to the peaceful successes of American diplomacy in the far East." And so it has resulted that the establishment of intercourse with the Western world through the United States has been regarded by the Koreans as a recognition of the disinterested friendship of that country.

The signature of the treaty was soon followed by the arrival of an American minister, Mr. Lucius H. Foote, who was received by the king with much distinction and cordiality, and likewise by the queen, who also received the minister's wife. This conduct was in marked contrast with that of Japan even, whose sovereign was not accessible to foreign representatives till fourteen years after the Perry treaty, and still more with that of China, which delayed similar intercourse for a quarter of a century after its treaties with the West.

The reception of the American minister was promptly followed by the dispatch of a special embassy to the United States, consisting of two Koreans of high rank with a suitable suite, who were transported from Korea

2600. For treaty, Treaties of U. S. 216; Commodore Shufeldt's Report, May 29, 1882, MSS. Department of State; 8 Presidents' Messages, 111; Griffis's Corea, 428–435; Curzon's Far East, 202; Gundry's China, 247; Appleton's Annual Cyclopædia, 1882, p. 175.

and returned home in United States naval vessels, after being received with great attention by the President and the American people. The king manifested to Minister Foote his high appreciation of the distinguished reception his representatives had received; and the first ambassador, in making similar acknowledgment on his return, said: "I was born in the dark; I went out into the light, and now I have returned into the dark again; I cannot as yet see my way clearly, but I hope to soon."

The year after the negotiation of the American treaty similar conventions were signed by the representatives of Great Britain and Germany. There was, however, in the British treaty a notable variance from its stipulations with China, as it prohibited the importation of opium into Korea.[1]

The dispatch of the special embassy to the United States was the only representation to any Western nation until the year 1887, when it was announced that a minister plenipotentiary had been appointed to the United States, and one other to represent Korea at all the European courts with which the country had treaties. This was at once followed by an interdiction on the part of China, on the ground that Korea was a vassal state, and that such a step could not be taken without first obtaining the consent of the emperor. Before the signature of the treaty with the United States in 1882, a letter from the king of Korea to the President was

[1] U. S. For. Rel. 1883, pp. 241–245, 248–250; 1884, pp. 125, 126; 8 Presidents' Messages, 174; Lanman's Leading Men of Japan, 386; Gundry's China, 253, 254; Griffis's Corea, 446, 447.

handed to Commodore Shufeldt, in which it was stated that "Chosen has been from ancient times a state tributary to China," but that the United States had no concern with this relation, and that he entered into the treaty as an independent sovereign, and on terms of equality. And upon negotiating treaties with other Western powers a similar notification was given.

The attitude of China in this respect has been most inconsistent. When the French government was proposing to call Korea to account in 1866 for the execution of the Catholic missionaries, the Tsung-li Yamen explicitly disavowed any responsibility for the acts of Korea, and stated that in its relations with other nations it was entirely independent. The same attitude was assumed by China when the Japanese treaty was made in 1876 and the American treaty in 1882. An attempt had been made by treaty between China and Japan in 1885 to regulate their conflicting relations as to Korea. While denying responsibility for the acts of that government towards foreign powers, China was constantly seeking to control its intercourse with them.

The king of Korea, alarmed lest China should make his action a pretext for war, sent a humble petition to the emperor asking for his gracious approval of the appointment of the two ministers to the United States and Europe, at the same time assuring the American representative at Seoul that he was resolved to send them. The emperor gave his approval, but through Li Hung Chang the king was notified that he must appoint only ministers resident, or of the third class, so as to be lower in rank than the Chinese representative;

that the Korean minister must apply through the latter for audience; and that he must in all important matters of his mission consult secretly with his Chinese colleague.

Secretary Bayard instructed the American minister in Peking to protest against the action of China, and gave notice to both governments that "as the United States have no privity with the interrelations of China and Corea, we shall treat both as separate governments customarily represented here by their respective and independent agents." The conditions fixed by Li Hung Chang were ignored by the Korean king and minister; the latter was received at Washington without the intervention of the Chinese minister; and no further question has been raised with the United States on the subject; but not until the war with Japan in 1894–1895 did China absolutely withdraw her claim of suzerainty.[1]

The friendly disposition of the Korean government towards the United States was evinced soon after the treaty in various ways besides the exchange of diplomatic courtesies. The year following the reception of the minister, Dr. H. N. Allen,[2] a medical missionary of the Presbyterian church of the United States, arrived. He was kindly received by the king and placed in

[1] U. S. For. Rel. 1888, pp. 220–248, 380, 433–444, 453; 1894, Appendix i. 29; Curzon's Far East, 203.

[2] Dr. Allen has continued his residence in Korea up to the present time, and has so impressed his own government, as well as that of Korea, with his usefulness and prudence, that he has by two presidents been appointed the minister of the United States, and now holds that post with much acceptability.

charge of a government hospital — a new institution for Korea — organized by himself. Two other American physicians joined him, and a medical school in connection with the hospital was organized. An American female medical missionary became the physician to the queen and ladies of the court. An American farm was established, with the introduction of blooded stock and instruction in the cultivation of foreign cereals and vegetables. The government solicited the detail of American military officers for the reorganization of the army, an American was selected as diplomatic adviser to the foreign office, schools under American teachers were established, and in other ways preference was shown for American aid to the government and people in the transformation which had commenced.[1]

The American treaty of 1882 and those of Great Britain and Germany of 1883 were similar in their general features to those made with China in 1858, but they contained one important omission: the guarantee of religious freedom. This, however, did not deter Christian missionaries from entering the country, and the king gave Minister Foote to understand that mission hospitals and schools would be tacitly permitted, and the work of both the Catholic and Protestant missionaries was quietly prosecuted with the knowledge of the government.

France had made earnest efforts to secure a treaty stipulation of religious toleration, and because of the refusal of Korea on this point no treaty was made by

[1] U. S. For. Rel. 1885, pp. 347, 353; 1886, p. 222; 1887, p. 253; 8 Presidents' Messages, 269, 330; Griffis's Corea, 447, 450–453.

that government till 1886, when it secured the insertion of the following clause in its treaty of that date: "Frenchmen resorting to Corea for the purpose of there studying or teaching the written or spoken language, sciences, laws or arts, shall in testimony of the sentiment of good friendship which animate the high contracting parties always receive aid and assistance." In 1888 the American minister was notified by the Korean government that "teaching religion and opening schools of any kind are not authorized by the treaty," and that the government would "not allow religion taught to our people," and the minister was asked to advise his countrymen to observe this prohibition.

Secretary Bayard held that, in the absence of knowledge of how the French and Korean governments construed the clause above cited, Americans could not claim a warrant for religious teaching among the natives from the terms of the French treaty. But the French government and the Catholic missionaries did claim such warrant, and despite the protest of the Korean government they have successfully maintained this claim. As a result American and other foreign missionaries have continued their labors, and they have been attended with a fair degree of success.[1]

From the time that Japan, after the restoration of the Mikado in 1868, requested the Koreans to resume their ancient tributary relation, a continuous effort was

[1] U. S. For. Rel. 1884, p. 127; 1886, p. 222; 1888, pp. 446–449; Gundry's China, 255; Report on Korean Mission, by Rev. A. J. Brown, Presbyterian Board, New York, 1902, p. 7.

made by the Japanese to secure a predominating influence in the kingdom. This was strenuously resisted by the Chinese, and, as a result, the court of Seoul was the scene of constant intrigues and the overthrow of ministries, marked by violence and barbarity. Twice was the Japanese representative driven from Seoul by armed force and his legation premises destroyed. As already noticed, these conflicts were sought to be avoided by the treaty negotiated at Tientsin in 1885 by Li Hung Chang and Marquis Ito, but the intrigues and disorder continued and had their culmination in the Chinese-Japanese war of 1894.

The causes and details of that war cannot be here narrated further than as they relate to the connection of the United States with that momentous contest.[1]

In June, 1894, a considerable body of Chinese troops were sent to Korea for the alleged purpose of putting down a rebellion which was threatening the overthrow of the Korean government. This action, claimed by Japan to have been in violation of the treaty of 1885, was followed by the dispatch of a force of Japanese troops which occupied Seoul, and its seaport, and fortified the connecting route. In the mean time the rebellion had been suppressed, and the king of Korea

[1] For causes of war, Williams's Hist. China, 437–444 ; Griffis's Corea, 460–462 ; The People and Politics of the Far East, by Henry Norman, New York, 1895, pp. 359–366 ; Curzon's Far East, 196–208 ; The China-Japan War, by "Vladimir," London, 1896, pt. i. chap. iii. and Appendix B ; Heroic Japan, A History of the War between China and Japan, by F. W. Eastlake and Yamada Yoshi Aki, London, 1899, pp. i.–ix. and chap. i. ; History of War between China and Japan, by J. Inouye, Osaka, 1895, chaps. i. and ii. ; U. S. For. Rel. 1894, Appendix i. pp. 5–23.

requested the withdrawal of the troops of both nations. The Chinese expressed a willingness to withdraw concurrently with the Japanese. The latter declined until Korea should adopt such reforms in government as would prevent further disorders. The king, greatly alarmed lest his country should become the theatre of war, appealed to the resident representatives of foreign powers to secure the withdrawal of the troops.

Mr. Gresham, the Secretary of State, in view of the provision in the treaty between the United States and Korea which pledged the United States to exert its good offices to bring about an amicable settlement of trouble with other powers, sent a telegraphic instruction to the American minister at Seoul "to use every possible effort for the preservation of peaceful conditions." In execution of this instruction the minister, acting in concert with his diplomatic colleagues, resubmitted the proposal of the king of Korea for a simultaneous withdrawal of troops to the Chinese and Japanese representatives, as an honorable adjustment of the difficulty; but the Japanese again declined the proposal.

The king, upon this second refusal, being satisfied that Japan meditated war, telegraphed his minister in Washington that his independence was seriously menaced and directed him to appeal to the United States to intervene in favor of peace; and he in person asked the American minister in Seoul to allow him to take refuge in his legation in case of necessity, which permission the minister cheerfully granted. Early in July the Chinese government asked the American minister at Peking to telegraph the Secretary of State in its

name to take the initiative in urging the powers to unite in a request to Japan to withdraw its troops from Korea. Moved by these appeals and by the natural inclination of his government to do all that was proper to preserve peace between nations friendly to the United States, Secretary Gresham had an interview with the Japanese minister in Washington, in which he referred to the appeals which had been made to his government by Korea and China, and he expressed the hope that Japan would deal kindly and fairly with her feeble neighbor, whose helplessness enlisted the sympathy of the American government, and he said that the apparent determination to engage in war on Korean soil was nowhere more regretted than in the United States. The Japanese minister said that his government recognized the independence of Korea and did not covet its territory, but that the recent troubles had been caused by maladministration and official corruption, and that the Japanese troops would not be withdrawn until needed reforms in the domestic administration of Korea had been made.

On July 8 the British ambassador waited upon Secretary Gresham, by direction of his government, to ascertain whether the United States would unite with Great Britain in an intervention to avert war between China and Japan. Mr. Gresham's reply was that his government could not intervene otherwise than as a friendly neutral; that it had already done so with Japan; that the President did not feel authorized to go further; and that the United States could not join another power even in a friendly intervention.

The efforts of the United States to prevent hostilities were not successful, but the appeals of Korea and China and the kindly manner in which the intervention was received by Japan accentuated the high estimate by these three Asiatic powers of the disinterested policy of the American government. When the war was declared, a still further evidence of the confidence of these powers was shown in the request of Japan to intrust the archives and property of its legation and consulates and the interests of its subjects in China to the care of the United States minister and consuls, and in a similar request from China for a like service by the American minister and consuls towards the archives, property, and subjects of China in Japan. This service entailed a considerable amount of labor of a delicate and sometimes embarrassing character, but it was discharged cheerfully, gratuitously, and to the satisfaction of the two interested countries.[1]

Out of this service there arose during the war a case which attracted widespread attention and severe criticism of the American Secretary of State in certain quarters. Two Japanese youths were arrested in the French section of the foreign concession of Shanghai on the charge of being spies. They were by the French consul turned over to the custody of the American consul-general, on the ground that he had charge of the interests of Japanese subjects. The Chinese government demanded their surrender, which the consul-general

[1] For efforts at intervention, U. S. For. Rel. 1894, Appendix i. pp. 22–39. For good offices to Chinese and Japanese, U. S. For. Rel. 1894, pp. 95, 372.

declined to grant unless instructed so to do by his government.

The two Japanese were students and had been residents of the French concession for three years; when arrested they were wearing Chinese dress, which is contrary to the treaty between China and Japan; and on their persons were found maps and memoranda respecting the war. The consul-general reported that, while papers in their possession seemed to lend a certain support to the charge, they were mere boys, and he did not believe they were guilty. He feared that if he turned them over to the Chinese authorities, in the excited state of the country, they would not receive a fair trial, might be subjected to torture, and would surely be beheaded. It was stated that during the Franco-Chinese war, the Russian consul having charge of French interests, exercised jurisdiction over citizens charged with crime by the Chinese authorities.

Secretary Gresham held that the good offices of American officials in China during the war did not warrant granting the Japanese an asylum against the Chinese authorities, that they were not entitled to exterritorial privileges, and that they were subject to trial and punishment by the Chinese tribunals. He, therefore, directed their delivery to the Chinese officials. The consul-general reported that after their delivery to the Chinese they were detained two weeks, tried, declared guilty as spies, and decapitated.

The unconditional surrender of the Japanese students was against the better judgment of Mr. Charles Denby, Jr., chargé of the American legation, and of Mr.

Jernigan, the consul-general, and was almost universally condemned by the foreign residents of China. A European historian of the war declares "it was the greatest disgrace that ever sullied the American flag." Such sweeping condemnation is based upon the supposed innocence of the accused and the rumors current at the time that they were cruelly tortured on the trial. But it is clear that a Chinese tribunal was the only one which could legally pass upon their guilt; and the consul-general reported that the most authentic information he could obtain was that they were not tortured. Secretary Gresham was correct in his action, and he was assured by the Japanese minister that, in the opinion of his government, the consul-general at Shanghai could not have held the accused against the demand of the Chinese authorities, and that under like circumstances his government would have demanded the surrender for trial of Chinese in Japan.[1]

As the war progressed and the Japanese forces were triumphant on land and sea, both China and the European powers began to fear the wide-reaching results for the victors. In October, 1894, the British representative in Washington again approached the Secretary of State with the inquiry "whether the government of the United States would be willing to join with England, Germany, France, and Russia in intervening between China and Japan." The Tsung-li Yamen, through Minister Denby, made a similar advance. Mr. Gresham's reply was that "while the President earnestly desires

[1] U. S. For. Rel. 1894, pp. 103–126; "Vladimir's" China-Japan War, 114–116, and Appendix E.

that China and Japan shall speedily agree upon terms of peace alike honorable to both, and not humiliating to Korea," he could not join the powers in an intervention.

President Cleveland felt, however, that the United States should exert its influence for peace, and he decided to make an independent effort in that direction. On November 6 the Secretary of State instructed the American minister in Tokio to represent to the Japanese government that while the deplorable war endangered no policy of the United States, whose attitude towards the belligerents was that of an impartial and friendly neutral, desiring the welfare of both, and cherishing the most friendly sentiments towards Japan, the President directed him to ascertain whether a tender of his good offices in the interest of peace would be acceptable to that government. He was also instructed to convey the caution, which soon after became a humiliating reality, that "if the struggle continues without check to Japan's military operations, it is not improbable that other powers having interests in that quarter may demand a settlement not favorable to Japan's future security and well-being." The reply of Japan to this overture was that it appreciated the amicable sentiments which prompted the United States, but that the universal success of the arms of Japan seemed to relieve its government of the necessity of resorting to the coöperation of friendly powers for a cessation of hostilities; that it would not press its victories beyond the limits which would guarantee to it the just and reasonable fruits of the war; but that

those limits would not be reached until China herself should approach Japan directly for peace.

This declination was followed on the same date by a request from Japan to the American minister that in the event of China desiring to communicate with Japan upon the subject of peace, it should be done through the legation of the United States at Peking. The intimation was favorably and promptly acted upon by the Chinese government, as within two days Minister Denby was authorized to transmit direct to Japan overtures for peace. This step led to the assurance from Japan that a peace commission appointed by China would be received in a friendly spirit.

In December, 1894, a peace commission, consisting of Chang Yen Huan,[1] former minister to the United States and a member of the Tsung-li Yamen, and Shao Yu-lien, a provincial governor, was appointed, and

[1] Chang's residence in the United States, where he was held in high esteem, convinced him that China's great need was reform in government in accordance with Western civilization, and on his return to China he became a leading member of the liberal section in Chinese politics. He was a trusted adviser of the emperor in his reform movement after the Japanese war, and when the empress dowager virtually dethroned the emperor and resumed the control of the government, Chang was condemned to decapitation on the charge of malfeasance in office as an adviser of the throne. The American and British ministers intervened to save his life, and his punishment was commuted to perpetual banishment at hard labor in distant Mongolia. When the reactionary party was in the ascendancy in 1900, and the foreign legations besieged, the empress dowager caused him to be beheaded. His death was a great loss to China, as he was a liberal and enlightened statesman and could have rendered his country valuable service in the trying period following the "Boxer" movement. At the suggestion of the American government, Chang has recently been posthumously restored to his honors and the disgrace attaching to his execution removed from his family.

reached Hiroshima, Japan, the place designated for the conference, in January, 1895. After meeting with the Japanese commissioners it was decided by the latter that the Chinese credentials were not in proper form, the conferences were closed, and the Chinese commissioners sent out of the country. The objection to the credentials was purely technical, and the Chinese commissioners offered to have the defect corrected by telegraph to suit the views of the Japanese, but the offer was rejected. The true cause for the failure of these negotiations is most probably found in the fact that a formidable expedition was then ready to sail for the reduction of the fortress of Wei-hai-wei and the capture of the Chinese navy, and the Japanese did not choose to settle upon the terms of peace till this important expedition had accomplished its purpose.

After the capture of Wei-hai-wei, Japan let it be understood through the American legation that it would receive Li Hung Chang, who had been nominated peace commissioner, and on March 19 he landed at Shimonoseki, Japan, with a numerous suite. He was here met by Marquis Ito, prime minister, and Count Mutsu, minister of foreign affairs, and after negotiations continuing through four weeks, terms of peace were agreed upon and a treaty signed. Its leading features were the recognition of the complete independence of Korea and the abandonment of all tribute and vassal ceremonies to China, the cession of the Liaotung Peninsula, Formosa, and the Pescadores Islands to Japan, the payment of a war indemnity of two hundred million taels, the opening of four new ports

by China, and the granting of other commercial privileges.

Soon after the war closed the emperor of Japan sent an autograph letter to the President of the United States, in which he expressed his cordial thanks for the friendly offices extended to his subjects in China by which they were on many occasions afforded succor and relief, and for the services of the representatives of the United States in Tokio and Peking whereby the preliminaries looking to the opening of negotiations and the definite termination of hostilities were adjusted. These acts, his majesty said, tended greatly to mitigate the severities and hardships of war, were deeply appreciated by him, and would tend to draw still closer the bonds of friendship which happily unite the two countries.[1]

In addition to the friendly service which the United States was able to render both Japan and China during the war in bringing the conflict to a close, the emperor of China invited a citizen of the United States to assist his commissioners in the peace negotiations, and the Japanese commissioners likewise had the benefit of an American adviser in their important labors.

It would trespass upon the bounds marked out for

[1] As to peace negotiations, U. S. For. Rel. 1894, Appendix i. pp. 29–106 ; 1895, p. 969 ; History of the peace negotiations between China and Japan, officially revised, Tientsin, 1895 ; Williams's China, 459 ; "Vladimir's" China-Japan War, pt. iii. chaps. vii. and ix., Appendix I–K ; Heroic Japan, chap. xxxiii. and Appendix A. For events of the war, U. S. For. Rel. 1894, Appendix i. 44–104; Williams's China, 444–459 ; "Vladimir" (cited), pts. ii. and iii. Appendix D, F–H ; Heroic Japan ; J. Inouye's Hist. For results of the war, China, Travels in the Middle Kingdom, by Gen. J. H. Wilson, U. S. A., New York, 1901, chap. xx.

this volume to enter at length upon a consideration of the results of the war. It will be sufficient here to state that it dispelled the idea that China might be counted upon in the near future as a military power. It brought to the attention of the world a new factor not only in the Far East, but in the policy of the Western nations. Japan had demonstrated not only that its people were patriotic and warlike, but that its generals possessed a knowledge of strategy, that it had a well-equipped system of sea transportation, and an advanced knowledge of the methods of supplying and moving large armies, and that it contained within itself the financial resources to maintain a great and expensive war.[1] There will be occasion in a later chapter to chronicle the influence of this conflict in bringing about the release of Japan from the shackles with which she had been bound by the Western nations.

The war swept away the last vestige of the vassalage of Korea to China. But in its stead was substituted a new danger to its autonomy. Japan had completely dominated the government of that country during the hostilities, and at their termination was prepared to reap the benefits of its success in increased commercial privileges, and in its control of the administration of the king. But in the execution of its plans it had to

[1] The overwhelming success of the Japanese army in the Chinese war, while unexpected to the world at large, was not a surprise to well-informed military observers. General U. S. Grant, after his visit to China and Japan in 1879, expressed the opinion that "a well-appointed body of ten thousand Japanese troops could make their way through the length and breadth of China, against all odds that could be brought to confront them." Atlantic Monthly, Dec. 1887, p. 725.

reckon with the designs of Russia. The government of that great and expanding empire, as its first act of interference, compelled Japan to surrender the best fruit of the war in the retrocession to China of the Liao-tung Peninsula. And since that date it has been a constant competitor with the island empire for favor and privileges at the court of Seoul. It may be that this competition in Korea will bring about the next conflict in the Pacific, and even menace the peace of the world.

X

THE ENFRANCHISEMENT OF JAPAN

When the disorders of government in Japan and the anti-foreign disturbances which marked the first few years after the opening of the ports to intercourse with the outside world, as already narrated, had in great measure passed, the rulers of the nation addressed themselves to the task of adapting the country to the changed conditions. New and unexpected embarrassments, however, were at once encountered. It has been seen that the Japanese were as artless as children in the practice of diplomacy, and accepted submissively the treaties which Commodore Perry and Minister Harris prepared, as well as those of the other nations patterned after them. But the statesmen of Japan were sagacious and highly patriotic, and they early discovered that the nation had been led into a thralldom, a release from which would require the greatest wisdom, persistency, and forbearance.

Soon after the treaties went into effect it became apparent that the government had surrendered two of the highest attributes of sovereignty and independence — the power to enforce its authority over all the people within its territory, and the right to frame and alter its tariff or impost duties at its pleasure. According to the American treaties of 1854 and 1858,

which followed the Cushing treaty of 1844 with China on the subject of exterritoriality, Americans committing offenses in Japan were to be tried by their own consuls, and Japanese having claims against Americans were required to enforce them in the consular courts. A fixed tariff of duties was also agreed to on imports and exports. Similar provisions were contained in the treaties with the other foreign powers.

Soon after the government of the Mikado was well established at Tokio efforts were made to obtain an abolition or a modification of these stipulations through the resident foreign ministers. These proved ineffectual, and inasmuch as the year 1872 was fixed in the treaties as the date when their revision might be considered, it was determined to dispatch an embassy to the capitals of all the interested powers for the purpose of securing, by means of such revision, a release from the humiliating and burdensome conditions which so greatly embarrassed the government.

In 1871 the embassy was constituted. At its head was placed Prince Iwakura, junior prime minister and minister for foreign affairs. With him were associated as vice-ambassadors, Kido, Okuba, Ito, and Yamagutsi, men who had already attained high positions in the government, and whose talents made them leaders of the New Japan. While the special object of the embassy was to obtain a revision of the treaties, it had also in view a study of the institutions of the Western nations, and to this end commissioners fitted for the task were selected from the various departments of government.

The embassy, which sailed from Yokohama the last

of December, consisted of forty-nine officials, with interpreters and servants making in all over one hundred persons. They were accompanied to the United States by the American minister, Mr. De Long, and his secretary; and the Japanese consul at San Francisco, an American citizen, was made a member of the embassy and continued with it through Europe. It arrived in San Francisco, January 15, 1872, where it was received with the greatest attention by the public officials and citizens. In the receptions and festivities, Vice-Ambassador Ito, who had been abroad and was familiar with the English language, was the chief speaker. The spirit which animated this distinguished body of statesmen may be seen from the following extracts from his speeches.

At a banquet given by the citizens of San Francisco, in the course of his remarks, he said: "Japan is anxious to press forward. The red disk in the centre of our flag shall no longer appear like a wafer over a sealed empire, but henceforth be in fact what it is designed to be, the noble emblem of the rising sun, moving onward and upward amid the enlightened nations of the world." And at Sacramento: "We come to study your strength, that, by adopting wisely your better ways, we may hereafter be stronger ourselves. . . . Notwithstanding the various customs, manners, and institutions of the different nations, we are all members of one large human family, and under control of the same Almighty Being, and we believe it is our common destiny to reach a nobler civilization than the world has yet seen."

By a unanimous vote of Congress the embassy was declared the guests of the United States and an appropriation for its entertainment was made. On its arrival in Washington it was received at the executive mansion by President Grant, in the presence of all the heads of departments and bureaus and a numerous company of prominent citizens. An official reception was tendered by Congress in the hall of the House of Representatives, with eloquent addresses by the Speaker, Mr. Blaine, and Prince Iwakura. Public and private courtesies were likewise shown them in the other cities which they visited before their departure for Europe.

The ambassadors had several conferences with the Secretary of State, Mr. Fish, on the subject of the revision of the treaties, and received from him the assurance that the government of the United States was prepared to take up the subject in the most liberal spirit towards Japan. But it was found that the Japanese representatives were not clothed with power to sign a treaty, and definite action was postponed till the embassy had conferred with the European treaty powers.

During their stay in the United States the ambassadors and commissioners were busy in studying its institutions and customs, and their reports thereon constitute a large volume in the publications of the embassy. Prince Iwakura, who had been the main support of the imperial cause during the struggle which resulted in the reinstallment of the emperor, was a devoted monarchist, and found little in the American democratic system to pattern after; but he was much impressed with the strength of the central government. The reports give

special attention to the social aspects, the genial disposition of the people, their cosmopolitan character, the influence which religion exerts in society and government, the educational system, the respect paid to women, the growth of the cities, and European immigration.

The visit of the embassy to the European capitals was fruitless of results so far as its main object was concerned. It found the governments unwilling to give Japan jurisdiction over their subjects until it had reformed its system of jurisprudence, and they did not choose to give up the hold which they had acquired on the regulation of foreign trade. From the United States alone had the embassy received any well-grounded hope of release; and on his return to Japan the chief ambassador expressed to the American minister in a heartfelt manner his deep sense of obligation to the government for its reception and treatment.

Prince Iwakura was a noted character in Japanese history. He is held in esteem by Americans because of his high appreciation of the friendship of their country for his nation, and for the partiality shown by him to the United States in educating three of his sons in its institutions. Minister Bingham ranked him as one of the ablest of his majesty's ministers, and one of the foremost intellectually and morally of his countrymen. On his death in 1883, the emperor issued a rescript in which he bore this testimony: "He was the pillar of the nation, and a model for my subjects. I ascended the throne in my youth. The deceased was my teacher. Heaven has deprived me of his aid. How grieved am I! In honor of his memory I confer on him the posthumous title of first minister of state."

With the failure of the embassy nothing was left for the rulers of Japan but, first, to bring their country up to the standard of administration fixed by the European powers before they would relinquish the practice of exterritoriality; and second, to make the power of the country so great as to command the respect of the Western nations, and thereby secure a recognition of the right to regulate its own system of taxation.

This course had been already marked out by the emperor. In a banquet which he gave his nobles just before the departure of the embassy in 1871, he foreshadowed his policy for the reorganization of the government, and appealed to them to lead and encourage the people "to move forward in paths of progress. . . . With diligent and united efforts we may attain successively the highest degree of civilization within our reach, and shall experience no serious difficulty in maintaining power, independence, and respect among nations."[1]

To attain this "highest degree of civilization," measures were instituted to reform the system of jurisprudence and education in conformity with Western methods, and to reorganize the departments especially of finance, military affairs, and internal improvements. To this end Japanese of intelligence and capacity were sent abroad to study the systems of other countries, and foreigners were called to Japan to instruct and take direction in the reforms to be established.

In the accomplishment of this work it was natural,

[1] U. S. For. Rel. 1871, p. 597; 1874, p. 646; 1883, p. 607; The Japanese in America, by C. Lanman, New York, 1872, pt. i.; Nitobe, 162.

in view of their past relations, that Japan should look largely to the United States. It is not possible here to give in detail the distinguished part borne by American citizens in the reformation of the government and people. Americans were early employed as confidential advisers in the foreign office to aid in the direction of diplomatic affairs, and they have been continuously retained up to the present time. In the development of education they have taken a leading part. At the request of Japan officials were detailed from the United States Treasury Department to remodel its financial system. Its agricultural bureau, and largely its scientific institutions, were organized under American direction. The present excellent postal establishment was initiated by an American, and the first postal convention with Japan was made by the United States.[1]

In connection with the influence which American citizens exerted in remoulding Japan may be noted the visit to that country of General U. S. Grant in 1879, on his tour of the world. He was made the guest of the nation (the first instance of the kind under the reorganized government), was lodged in an imperial palace, and, besides the usual audience, he held with the emperor (at the latter's special request) an interview of two hours and several others with the prime minister, in which the interests of Japan were fully and freely discussed. At the time of his visit China and Japan were in serious dispute over the sovereignty of the Lew

[1] U. S. For. Rel. 1871, p. 595, 614 ; 1875, p. 795 ; 1876, p. 360 ; Nitobe's Intercourse of U. S. and Japan, 117–139 ; Advance Japan, by J. Morris, London, 1895, p. 378.

Chew Islands, — which, it will be remembered, Commodore Perry in 1854 had recommended should be occupied by the United States. There was great danger of hostilities between the two oriental empires over the question, and General Grant actively interested himself in preserving peace. Both nations cherish his visit with grateful remembrance.[1]

The task of regeneration to which the emperor of Japan had summoned his people was pushed forward with commendable zeal. He promptly set the example by inviting the diplomatic corps in 1872 to a New Year's audience, as in Western courts, with the absence of all Asiatic ceremonials; and a few years later the empress stood beside him in these audiences, which Minister Bingham noted "as an evidence of the advancing civilization of the empire." In 1875 an imperial decree was issued convoking provincial assemblies, in order, as it stated, that the emperor might "govern in harmony with public opinion." In the same year the British and French troops were withdrawn from Yokohama, where they had been stationed since the opening of that port, on the ground of protecting foreign residents, — the first manifestation of a disposition on the part of the European powers to respect the sovereignty of Japan. Edicts followed in quick succession adopting the European calendar, proclaiming Sunday as a day of rest, enacting and putting in force penal and other codes, for the compilation of a constitution

[1] U. S. For. Rel. 1879, pp. 636, 643, 685; 1881, p. 231; 2 Around the World with General Grant, by J. R. Young, New York, 1879, pp. 410, 545, 581; Nitobe's Intercourse, etc. 140.

after Western models, and announcing the convocation of a national parliament. Meanwhile a compulsory system of education had gone into operation, and the intelligence of the people was being quickened by the multiplication of daily newspapers, a network of telegraph lines, and the opening of railroads.[1]

With all these and other reforms in process of consummation, and chafing under the humiliation of the exercise of sovereignty on its own soil by foreign nations, the government of Japan, in 1878, approached the diplomatic representatives of powers in Tokio with a proposition for a revision of the treaties. The discussion which followed developed the fact that no time was fixed in these conventions for their termination, and that if revision could not be agreed upon they would run indefinitely.

Mr. Harris, who negotiated the American treaty of 1858, and which became the model for all others, had inserted the exterritorial provision "against his conscience." He states that he did it under the instructions of Secretary Marcy, who agreed with him that it was an unjust provision, but he said that, as it appeared in the treaties of the United States with other oriental countries, it would be impossible to secure the ratification of the treaty without it. Mr. Harris regarded it only as a temporary measure.

The provisions as to the tariff had even a less claim for their continued existence. Mr. Harris states that the Japanese negotiators left that matter entirely to

[1] U. S. For. Rel. 1872, p. 321 ; 1875, pp. 787, 794 ; 1876, pp. 377, 381 ; 1878, p. 486 ; 1880, p. 690 ; 1881, pp. 658, 728.

him, frankly avowing their want of knowledge respecting it, and trusted to his acting justly. He framed such a tariff as he regarded best for the interests of Japan, placing raw products, food supplies, and building materials on the free list or at a duty of five per cent., manufactures, etc., at a duty of twenty per cent., and liquors at thirty-five per cent. He intended to give Japan the power of revising the duty at the end of ten years, but the construction placed by the powers upon the language used by him made the concurrence of all the nations necessary to any change.

Lord Elgin, who negotiated the British treaty a short time after that of the United States, succeeded in having placed in the five per cent. column manufactures of wool and cotton, the articles most largely exported to the East by British merchants. Under the most favored nation practice all countries shared in the rate, and it had the effect, when the tariff revision of 1866 took place, of a reduction of all imports to a five per cent. duty.

This tariff proved disastrous to Japan. It destroyed the cultivation of cotton and in great measure the small manufactories, throwing many thousands of laborers out of employment. It deprived the government of all revenue from this important source, the duties collected barely paying the cost of maintaining the customs service, and amounting to less than one thirtieth of its income, while in the United States and many other countries the customs receipts equal or exceed one half of the national revenues. But the most serious objection to its maintenance was the humiliation it caused

the proud Japanese. It was forced upon them in 1866, when the country was in the throes of a revolution, when the government of the Shogun was falling to pieces, and the emperor was not yet able to maintain his sovereignty.

The enforcement of the provisions of the treaties as to exterritorial jurisdiction was equally as objectionable to the Japanese. Not only were foreigners tried by their own consuls for offenses committed against Japan and its people, but the natives were required to prosecute their suits against foreigners in the consular courts of the defendants. It was humiliating enough even when the consuls had a legal education and were competent to administer justice, but often the persons who held these positions were ignorant of law and utterly unfitted for judicial duties. In the latter case the consular judges were in marked contrast to the Japanese judges, who were trained in their profession and independent of executive control.

Even when the consuls were qualified in other respects for their duties, it was not always easy to divest themselves of partiality for their own countrymen, and this influence sometimes led to remarkable decisions. An example was that of an English merchant detected in trying to smuggle a large quantity of opium (a prohibited article) through the custom house, who was brought by the Japanese authorities before the British consular court. He was acquitted on the ground that it was "medicinal opium," and might be freely imported by paying the duty of five per cent. levied on medicines.

The exterritorial principle was found inconvenient in other respects than in judicial matters. When the consulates were first established in the treaty ports the Japanese government had no postal system, and in each consulate there was a post-office for the convenience of resident foreigners, through which foreign mail matter passed. When the excellent postal service organized by the Japanese government was in full operation, it requested that the consular post-offices might be closed and the government service substituted. The American consulates were the only ones which promptly acted on the suggestion, the others claiming for several years afterwards the right to maintain a separate service in Japanese territory.

A still more aggravating application of exterritoriality was made respecting quarantine matters. During a cholera epidemic in 1879 the government established health regulations at the ports, which the British, German, and some other ministers refused to recognize, and they claimed the right to enact regulations in the ports for their own vessels. A German ship, coming directly from an infected port, was placed in quarantine outside of Yokohama, but under the orders of the German minister the vessel was taken out of quarantine by the consul, attended by a German man-of-war, and brought into port. General Grant, who was visiting in Japan at the time, was emphatic in his denunciation of the European diplomats, and said the government would have been justified in sinking the German ship. The British minister gave instructions to the consuls of his nation to disregard entirely the regulations. On the

other hand, the American minister required all the vessels of his nationality to observe the quarantine. Over one hundred thousand Japanese lost their lives by the epidemic. The American minister, in forwarding the statistics to his government, expressed the conviction that the death roll would not have been so great if the Japanese government had been aided, and not resisted, by certain of the foreign powers in its laudable efforts to prevent the spread of the pestilence.

The minister for foreign affairs urged the application for a revision of the treaties on the representatives of the Western nations, under the conviction that with the governmental and social reforms so well advanced, and with the objectionable features of exterritoriality so manifest, some relief would be granted from the embarrassments which attended the continued enforcement of the treaties. But his arguments and appeals were unsuccessful. The British minister took the lead in the opposition to revision and the other European representatives concurred with him. At that period the influence of Great Britain was all-powerful in the East. Twice had its naval and military forces been used to extort from China unwilling treaties; twice had Japan been humiliated by demonstrations of its martial power; and its squadrons were everywhere present to support its ministers and consuls.

In commercial affairs as well were British interests predominant. In Japan the import trade was largely English, and British merchants were the greatest beneficiaries of the low duties. It did not suit their interests to abandon the practice of exterritoriality or to

change the tariff. Under these conditions the negotiations came to naught, as the American minister was the only one of the foreign representatives willing to accept the proposals of the Japanese government.

Up to this time it had been the policy and the practice of the foreign representatives in Tokio to coöperate in all measures of general interest, but Mr. Bingham, the American minister, was so strongly impressed with the equity and justice of the Japanese claim that he dissented from his European colleagues, and decided to take an independent course. Upon his recommendation the United States, in 1878, entered into a treaty with Japan by which the existing tariff was to be annulled and the exclusive right of Japan to establish imports was recognized. This treaty, however, had no other effect than to place the United States on the side of Japan in its efforts to break the bands which held it in bondage, as its provisions were not to go into effect until similar treaties were made with the other powers.[1]

Not discouraged by this failure of 1878, new proposals were submitted in 1882, but without avail, the American minister being the only one ready to concede the Japanese claim. Again in 1886 a more formal effort was made and a diplomatic conference or congress was assembled, in which the Japanese minister for foreign affairs, Count Inouye, and the representatives of all the treaty powers participated. Some progress was made towards an agreement on tariff revision,

[1] U. S. For. Rel. 1879, pp. 647, 670; 1880, pp. 652, 657, 679; U. S. Treaties, 621; N. A Rev. Dec. 1878, p. 406; Atlantic Monthly, May, 1881, p. 610; Ib. Dec. 1887, p. 721; Nitobe's Intercourse, etc. 104.

but there was an irreconcilable divergence of views on the jurisdictional question. After long discussions, the conferences extending into the year 1887, the Japanese were finally brought to agree that to the native judges there should be added a body of European and American experts, who should constitute a majority in every court before which aliens might be required to appear. But when this important concession was offered, the European representatives insisted that the foreign judges should be nominated by the diplomatic body, and that it should control the laws, rules of procedure, and the details of the administration of justice.

When the concession tendered by Count Inouye and the demands of the diplomatic representatives became known to the Japanese public, a storm of indignation spread through the land, and the opposition became so threatening that the conference was dissolved, and Count Inouye was forced to resign his portfolio. Again the American minister alone was on the side of Japan. To signalize the attitude of his government, an extradition convention was negotiated by Minister Hubbard, ratified, and proclaimed in 1886, while the conference was in progress. In submitting the treaty to the Senate, President Cleveland stated that it had been made not only because it was necessary for the proper execution of the criminal laws, "but also because of the support which its conclusion would give to Japan in her efforts towards judicial autonomy and complete sovereignty."

This treaty originated in questions which were raised through an American, charged with a crime committed

in the United States, taking refuge in Japan. His arrest could not be demanded in the absence of an extradition treaty, but the Japanese government as an act of comity caused his delivery for trial in the United States, and in friendly reciprocity the convention was signed. The British government, on the other hand, claimed that, under the principle of exterritoriality, it had the right without such a convention to follow a British fugitive from justice into any part of Japanese territory, arrest, and carry him back to England for trial. Such a claim was only equaled by the disregard of the government quarantine regulations in the treaty ports.

Count Inouye's conferences having been broken up because of the indignation of the Japanese people, Count Okuma, his successor in the foreign office, sought to take advantage of a difference of views existing among the European representatives, and to revise the treaties with each nation separately. He reached a basis of agreement with Germany, France, and Russia, but Great Britain still held out, and, while laboring to secure an adjustment with that power, an attempt on his life was made by a fanatic, who had been wrought up by an excessive patriotic fervor to believe the minister was about to betray his country. Being severely wounded, Okuma likewise abandoned his efforts and gave up his office. The attitude of the European powers had created a conservative reaction, and the public sentiment was such at the time that an unwillingness was manifested to allow the country to be thrown open to foreigners, even in exchange for the

abolition of the judicial and tariff provisions of the treaty. Disheartened in its labors, the government decided to abandon further attempts at treaty revision, in the hope that time would work out the deliverance of the nation.[1]

But it did not slacken the movement for reform, and on the two thousand five hundred and forty-ninth anniversary of the foundation of the dynasty there occurred the most momentous event in Japanese history and the crowning work in the regeneration of the country — the promulgation by the emperor of the imperial constitution, accompanied by his solemn oath to observe and enforce it, and also by a decree for the election of an imperial diet or parliament. The promulgation was made by the emperor in the throne-room of the palace with stately ceremonies, and was witnessed by the diplomatic representatives who had so recently refused to recognize the advance which the empire had made in governmental and social reorganization, and who were still unwilling to admit it into the family of nations.[2]

The patience and forbearance of Japanese statesmanship, however, at last had its reward in a notable triumph over Western diplomacy. The war with China had thrown a fresh light on oriental affairs. A new people had appeared above the horizon of international politics, not only able to defend their independence,

[1] The United States in the Far East, by R. B. Hubbard, Richmond, 1900, chap. xvi.; Norman's Far East, 385; Chamberlain's Things Japanese, 443 Atlantic Monthly, 1887, pp. 728–733; Nitobe's Intercourse, etc. 105; U. S. For. Rel. 1886, p. 564; 8 Presidents' Messages, 402, 501.

[2] U. S. For. Rel. 1889, p. 536; Murray's Story of Japan, 394; Minister Kurimo in N. A. Rev. May, 1895, p. 624.

but to make their power felt in the counsels and contests of the nations. Russia, Germany, and France had combined to rescue China from Japanese control, and Great Britain, separated from the great continental powers, found in Japan a convenient and useful ally. The British government was not slow to realize the situation. Even before the war had fairly begun and when the triple alliance in Asiatic affairs was still inchoate, it had taken the step which was essential to an alliance with the Japanese empire.

The highest ambition of that empire was to secure release from the bondage in which it was held by the treaties with the Western powers. No nation could be its friend and ally which was not ready to yield that point. The British government signified its readiness to take up the revision, and, from being the recalcitrant power, it became the one most prompt to accept the conditions proposed by Japan. The latter, also, had changed its position. It no longer thought of foreign judges in its courts, as it proposed in 1886. When it declared war against China and marshaled its army and navy for the contest, it was not alone to settle its differences with its neighbor, but to achieve its independence and sovereignty among the nations of the earth. Great Britain recognized that Japan had at last reached the goal of its twenty-two years' diplomatic struggle, and in 1894 entered into a treaty whereby the practice of exterritoriality was to be completely abolished, the whole country was to be opened to foreign residents, and the statutory tariff of Japan was to control the imposts, from and after 1899; and

meanwhile the foreign residents at the treaty ports were to prepare for the change.

The United States had negotiated such a treaty soon after the adjournment of the revision conference of 1886–87, and stood ready to put it in force as soon as Great Britain, its commercial competitor, could be brought to a similar agreement. When the British treaty was assured, the negotiations were taken up at Washington, a treaty was signed November 22, 1894, and promptly ratified and proclaimed. All the other treaty powers followed with little delay, and the day was thus fixed for the release of Japan from its thralldom.

The revision of the treaties was not popular with the foreign residents of the empire. They looked forward with foreboding to the application to their persons and business of the Japanese laws. The American and British residents especially were filled with anxiety, and petitioned their governments to secure some exemption from the laws respecting land tenures, newspapers, and bail or imprisonment in view of the conditions of the Japanese jails. But their governments decided that it was but fair to allow the Japanese laws to go into operation, and, if hardships and injustice were experienced, to trust to the imperial government to remedy the defects through legislation or amendment of the treaties.

As the day of jubilee approached the emperor issued a notable rescript or proclamation, announcing the coming event, in which he said, "it is a source of heartfelt gratification to us that, in the sequel

of exhaustive planning and repeated negotiations, an agreement has been come to with the powers, and the revision of the treaties, our long-cherished aim, is to-day on the eve of becoming an accomplished fact; a result which, while it adds materially to the responsibilities of our empire, will greatly strengthen the basis of our friendship with foreign countries." And he appealed in affectionate terms to his subjects, officials, and people, to so conduct themselves that every source of dissatisfaction might be avoided, and that subjects and strangers might enjoy equal privileges and dwell together in peace.

The rescript was followed by notifications from the cabinet and ministers of all the departments to their subordinates, warning them to so enforce the laws and so conduct themselves that foreigners might "be enabled to reside in the country confidently and contentedly." The appeal of the emperor in that great crisis of his country was most affecting, and had a profound influence on the masses of the people, who had been trained to believe in his divine origin and that he was guided in his conduct by his ancestors of glorious memory and achievements.[1]

It is gratifying to note that the foreboding of the foreign residents has not been realized, and that since 1899 they have lived in as full an enjoyment of peace and protection of the laws of the empire as if under the governments of Christendom. The manner in which

[1] U. S. For. Rel. 1890, p. 450; 1899, p. 469; U. S. Treaties in force, 352; Norman's Far East, 387; Ransome's Japan in Transition, chaps. xi. and xvi.; Morris's Advance Japan, p. xiv.

the officials and people have conducted themselves has secured the applause of the world. What has been accomplished is without parallel in history. No other Asiatic country has broken away from the customs of past ages and aligned itself with the institutions and methods of modern civilization; and no other nation of the world has in so short a time undergone so great a transformation and wrought such a development of its resources.

It is especially gratifying to Americans to note the triumphs of Japanese wisdom, persistency, and patriotism, — to feel that they were instrumental in awakening that people to the high ideal which they fixed for themselves, and that they have stood by them as their adviser and friend in their long struggle for regeneration and independence.

The empire has attained its long-sought-for place among the nations. It begins to realize, as announced by the emperor, that it has materially enlarged its responsibilities. It assumes them, proud of its antiquity and confident of a long future before it, inspired by the sentiment so recently sung by its soldiers on the battle-fields of Korea and China, —

> May our Lord's dominion last
> Till a thousand years have passed,
> Twice four thousand times o'ertold!
> Firm as changeless rock, earth-rooted,
> Moss of ages uncorrupted
> Grows upon it, green and old!

XI

THE ANNEXATION OF HAWAII

The decade following 1850 was significant in events which unmistakably indicated the ultimate annexation of Hawaii to the United States. The sudden development of California and the growth of American influence on the Pacific coast greatly revived the drooping commerce of the islands occasioned by the decline in whaling. The demand from that coast created new industries, especially in agriculture. The cultivation of sugar was begun, and was found to be well adapted to the climate and soil. Potatoes and other vegetables were largely exported, and the high price of flour at San Francisco gave a temporary impetus to the growing of wheat. The traffic in these commodities added materially to the wealth of the islanders.

Another event tended to direct attention to the political future of Hawaii. It was the epoch when filibustering was rampant in the United States, and demanded an aggressive policy on the part of the administration then in power. While Cuba was the objective point of the movement on the Atlantic coast, the notorious Walker was active in organizing in San Francisco lawless movements against Lower California and Nicaragua. His acts gave currency to reports that an expedition was being formed to occupy forcibly Hawaii and bring

about its annexation to the United States. Kamehameha III. (the reigning sovereign) and his council were greatly alarmed, and their appeals led to the sending of an American man-of-war to Honolulu to insure the islands from attack. The rumors proved to have no substantial foundation, but they indicated the growing expectation of eventual incorporation of the islands with the Union.

The census made it manifest that the native population was rapidly decreasing, and the race seemed destined to ultimate extinction. Although surrounded by good advisers and Christian influence, the reigning family was developing an incapacity to govern, and this feature became more apparent in later years. The paramount interest of the United States caused it to regard the situation with concern.[1]

Mr. Marcy, the Secretary of State, although of conservative tendencies, entertained broad-minded views of the duty and destiny of his country, and he regarded the time propitious for a permanent settlement of the status of these outlying islands adjacent to the American domain. The king had already, during the trouble with France, indicated his desire in that crisis to transfer the sovereignty to the United States, and Mr. Marcy instructed the American minister to approach him with a proposition for annexation. The king was found favorable to the project, and the draft of a treaty was agreed upon; but two of its provisions did not meet

[1] The official census shows the following decrease in the native population: Native Hawaiians in 1832, 130,313; 1850, 84,165; 1853, 73,137; 1860, 69,800; 1872, 56,869; 1884, 40,014; 1890, 34,436; and 1900, 29,799.

with Mr. Marcy's approval, to wit, the annuities to be paid the royal family and the stipulation that the islands were to constitute a State of the Union.

While the negotiations were in progress for a modification of the treaty draft on these matters, Kamehameha III. died, and, his successor being unfavorable to the measure, the negotiations came to an end. But the latter recognized the commercial dependence of the islands upon the United States, and a treaty of reciprocity in trade was signed in 1855, though it failed of approval by the American Senate.

During the American Civil War the government of the United States was too much absorbed with that great struggle to give attention to its relations with Hawaii. Soon after the restoration of peace, however, Secretary Seward authorized the American minister to open negotiations for a reciprocity treaty, but he stated that there was a strong annexation feeling in the country, and if he found that "the policy of annexation should conflict with the policy of reciprocity, annexation is in every case to be preferred." The treaty of reciprocity was signed in 1867, and President Johnson, in urging its ratification upon the Senate, said the treaty would prove a measure of protection against foreign aggression "until the people of the islands shall, of themselves, at no distant day, voluntarily apply for admission into the Union." Two influences were, however, sufficiently strong to prevent the ratification of the treaty, — the sugar growers of the Southern States, and the friends of annexation, who felt that reciprocity would postpone that project.

These repeated efforts at annexation and commercial reciprocity awakened the jealousy of the British and other foreign merchants resident in the islands, and their views were echoed by their diplomatic representatives; but men of foresight in England did not seem so blinded to coming events. The Hawaiian commissioners who visited Europe in 1850 (of which notice has already been taken), in their interviews with the British premier, were advised to look forward to becoming an integral part of the United States. "Such," said Lord Palmerston, "was the destiny of the Hawaiian Islands, arising from their proximity to the State of California and Oregon and natural dependence on those markets for exports and imports, together with the probable extinction of the Hawaiian aboriginal population, and its substitution by immigration from the United States." The London "Post," in discussing the annexation project of 1853–54, while speaking in not very complimentary terms of "American rapacity," stated that the predominance of American influence made the acquisition of the islands most natural, and that it should be regarded as a circumstance auspicious to the commerce of the world.[1]

A fear existed in the islands that the American market, their chief dependence for prosperity, might be closed to them by adverse tariffs, and the efforts for a reciprocity treaty continued through the succeeding ten years, during which time one king followed another in

[1] A. H. Allen's report, S. Ex. Doc. No. 45, 52d Cong. 2d Sess. pp. 14–18; Alexander's Hist. Hawaii, 273–292; Hopkins's Hawaii, 325, 397; London Post, Oct. 24, 1854.

quick succession, the lives of some of them being shortened by intemperance and immorality. The line of the Kamehamehas became extinct, and one ruler after another dying without a designated successor, disorder and riots ensued, growing out of the election of a head to the enfeebled government, and the presence on shore of American marines was time and again invoked to preserve the public peace.

During the administration of President Grant, Secretary Fish authorized new negotiations for reciprocity, so ardently desired by the Hawaiians. In his instructions to the American minister he referred to the condition of the government and its evident tendency to decay and dissolution, to the danger of its falling under foreign control, and stated that "we desire no additional similar outposts [as Bermuda] in the hands of those who may at some future time use them to our disadvantage." While authorized to entertain propositions for reciprocity, the minister was not to discourage any feeling which might exist in favor of annexation. The negotiations were opened at Honolulu, but King Kalakaua, impressed with the importance of the matter, sent two commissioners to Washington, and their action resulted for the third time in a treaty of commercial reciprocity, those of 1855 and 1867 having failed, as noted, in the United States Senate.

This treaty provided for the free reciprocal introduction of practically all the products of Hawaii into the United States, and of those of the United States into Hawaii. The opposition of the advocates of annexation was overcome by the insertion of a stipulation that

none of the territory of Hawaii should be leased or disposed of to any other power, and that none of the privileges granted by the treaty should be conferred upon any other nation. With this clause added, the treaty was regarded as insuring the ultimate acquisition of the islands by the United States, and it was ratified by the Senate and went into operation in 1876.

This treaty is justly regarded as one of the most important events in Hawaiian history. Its final result was to bring about annexation. Its immediate effect was to create a great revival in commerce and the native industries. Though sugar cultivation had commenced twenty years before when the demand for it arose in California, it had not been possible to compete in the United States markets with the slave-grown sugar of other countries. The free introduction of Hawaiian sugar under the treaty gave a strong impetus to its cultivation, as also to that of rice. The total value of exports in a few years was increased more than sixfold, a corresponding increase resulted in the revenues of the government, and the wealth of the country was greatly multiplied.

As a consequence, public and private enterprises were stimulated, and an unexampled era of prosperity followed. Government buildings and other improvements of public utility were constructed ; railroads and telegraph lines put in operation ; expensive systems of irrigation were installed ; many artesian wells were sunk for sugar cultivation ; and new schools, hospitals, and churches were erected — all as the direct result of the reciprocity treaty.

It had still another effect which brought about a radical change in the population of the islands. As sugar cultivation became very profitable, it was largely extended, and this occasioned an unusual demand for labor. It could not be supplied from the native population, as the aboriginal race was unwilling to undergo the fatigues and hardships of the plantations. Efforts were made to obtain laborers from the other Polynesian islands, but they proved unsatisfactory. Over ten thousand Portuguese were brought from the Azores, but the supply from that source was limited. As the area brought under cultivation was enlarged, the planters turned to the overflowing populations of China and Japan, and more than twenty thousand from each of those countries were brought into the islands. By these means the native inhabitants, decreasing steadily in numbers, became a minority, idle, thriftless, and comparatively unimportant. The property and wealth had, in great measure, passed into the hands of people of alien races.[1]

The duration of the reciprocity treaty was fixed at seven years, but after some negotiation it was renewed in 1884 with an important additional clause. This was the granting to the United States of the exclusive use of Pearl Harbor for a naval station, with the right to improve and fortify it. In 1873 General Schofield had been sent by President Grant to the islands to make a survey with a view to the location of such a station, and he made a report in favor of Pearl Harbor, and later appeared before a Congressional committee and

[1] Allen's Report (cited), 19–22 ; Alexander's Hist. Hawaii, 303–311.

urged the importance of some measure looking to the control of the islands.

The action of the Hawaiian government in ceding Pearl Harbor to the United States led to a protest from the British minister in Honolulu, who said that such cession "would infallibly lead to the loss of the independence of the islands," but he based his objection to it on the ground that it was in violation of an article of the British treaty with that country which gave to British vessels of war liberty of entry to all harbors to which ships of other nationalities were admitted. The Hawaiian government, however, did not admit the British contention.

During the first administration of President Cleveland action was taken on several subjects indicating the paramount influence or authority of the United States in Hawaii. One of his first acts was to proclaim the renewal of the reciprocity treaty, with the Pearl Harbor clause. In 1886 an attempt to make a loan in London of $2,000,000 upon the hypothecation of the customs revenues of Hawaii was defeated, Secretary Bayard taking the position that it was in conflict with the clause of the reciprocity treaty which forbade the cession of territory to any other country or the creation of a lien upon any port. In 1887 the British minister approached the government at Washington with a request that the United States join Great Britain and France in the compact of 1843, whereby they guaranteed the neutrality and independence of Hawaii. Mr. Bayard declined on the ground that by the reciprocity treaty Hawaii was enjoying material prosperity, had

entered into special obligations as to the cession of a port and alienation of territory, and occupied towards the United States a relation different from that towards all other countries. King Kalakaua had made an alliance with the Samoan king, and in 1887 the approval of the government of the United States was asked to the compact. Mr. Bayard pointed out the inexpediency of it, and withheld approval.

The prosperity which attended the reciprocity arrangement replenished the royal treasury, and Kalakaua sought to make the most out of his good fortune. He first visited the United States, where he was received in a manner becoming a royal neighbor. Afterwards he made a tour of the world and was entertained by the governments and crowned heads of Asia and of Europe. He returned home with ambitious ideas for himself and his kingdom. In 1883 he published a protest against the seizure by Great Britain and France of various groups in Polynesia, while the alliance with Samoa was another of his schemes for giving importance to his reign.

An adventurer named Gibson had ingratiated himself into the favor of Kalakaua, and had been made prime minister, and the Samoan alliance was attempted under his auspices. Gibson claimed to be the heir of a great English family; he had been imprisoned in Java, whence he escaped to Salt Lake City, and was sent by Brigham Young as a Mormon apostle to Hawaii; becoming involved in trouble with the "Saints," he became a Protestant, but in a little while transferred his spiritual allegiance to the Pope, and was soon an

influential member of the native Roman Church. By his artful methods he gained the confidence of the king and was made the head of his government. He kept the amiable, but too convivial, monarch well supplied with money, and in other respects gratified his desires. He readily fell in with his ambitious views and dispatched the embassy to the Samoan king.

The solitary ship of the Hawaiian navy, the little Kaimiloa, was fitted out for the voyage, and carried to Samoa a half-caste native ambassador, with a secretary and the usual staff of a diplomatic mission. On arrival, after a voyage during which the crew mutinied on account of short rations, the embassy established itself in an extravagant style of living. The treaty of alliance was readily made, and was celebrated by a banquet given by the Hawaiians. As morning dawned the floor of the banquet hall was found covered with Samoan chiefs, who had to be carried to their homes. The comment of the Samoan king to one of the embassy was: "If you have come to teach my people to drink, I wish you had stayed away." The Kaimiloa was hypothecated to raise funds to get the embassy away from the islands, its departure being hastened by the jealousy of the Germans. On its return to Honolulu it found Gibson dismissed from office and in jail. His expulsion from the country soon followed. By such exploits and through such advisers Kalakaua's administration was much discredited by the better class of residents and in the United States.

During the sessions of the International American Conference at Washington in 1890, Congress adopted

a resolution to extend an invitation to the government of Hawaii to participate in the conference. By this act the islands were recognized as a part of the American body of states, and the Monroe doctrine was applied to their political status.[1] This step, however, did not alter the intimate relation which they held to the Orient. From their earliest contact with the United States these islands had been a base of operations for the trade of China, and the growing power of Japan had given to them added importance in the Pacific.

Kalakaua died in 1891 while visiting California for his health, and was succeeded by Princess Liliuokalani, who had previously been proclaimed heir to the throne. Although the petty kingdom was the merest mimicry of a monarchy, the substantial residents were disposed to tolerate the king in his whims and extravagancies of life and policy because of his kindly disposition and of his good intentions for his country. But his death precipitated the end of the monarchy, which events had already indicated as inevitable. The new ruler from the beginning manifested a headstrong disposition, an intention to control the government by her own will, and to surround herself with a body of advisers and intimates of bad character and of ill omen for the country. Her accession to power was followed by much dissatisfaction, and revolutionary schemes began to take shape. The bribery and corruption which prevailed and the orgies which defiled the palace during the

[1] Allen's Report, 23–26; Alexander's Hist. Hawaii, 304; A Foot-Note to History (Samoa), by Robert Louis Stevenson, New York, 1892, p. 56; U. S. For. Rel. 1894, Appendix ii. p. 645.

reign of Kalakaua were continued under the queen, and the government went from bad to worse, the sessions of the national legislature being marked by open bribery, apparently with the approval of the head of the state.

A crisis came in January, 1893. The queen was determined to overthrow the existing constitution and to proclaim one whereby more autocratic power would be possessed by her. As the first step to this end she sought to rid herself of her constitutional ministry. The legislature was prorogued, and the nobles and the diplomatic corps were summoned to the palace, the purpose being understood to be to witness the promulgation of the new constitution. This aroused the fears and hostility of the leading inhabitants of Honolulu, who assembled in mass meeting, denounced the contemplated measure, appointed a committee of public safety, which proceeded at once to organize their adherents into a military force. The queen, being alarmed at the magnitude and earnestness of the opposition, dismissed the nobles and diplomats, and from the balcony of the palace announced to her native adherents, who were clamoring for the new constitution, that she had been forced to postpone its promulgation, and later she issued a proclamation that no change would take place except by constitutional methods.

The committee of public safety, satisfied that she would embrace the first opportunity to carry out her cherished plan, began preparations, on January 16, for decisive action to put an end to the corrupt government. It being apparent that a revolution was impending,

the American minister requested the United States naval commander to land marines to protect American interests, and at five o'clock on the afternoon of the 16th a detachment of troops was landed and placed about the legation and consulate. On the day following, January 17, 1893, the revolutionists assembled under arms, and, marching to the government building, proclaimed the overthrow of the monarchy, and the committee of public safety took possession of the government without loss of life. The queen alleged that her adherents had been overawed by the landing of the United States troops, and, while peacefully submitting to the change, she appealed to the President of the United States to restore her to power.

A provisional government was at once established, with Judge S. B. Dole as president. Judge Dole was born in Honolulu, of American parentage, and resigned from the Supreme Court to accept the position. The new government was organized without opposition throughout the islands and recognized as the *de facto* government by the representatives of all the foreign powers resident at the capital. One of its first acts was to dispatch a commission of its citizens to Washington to negotiate a treaty of annexation to the American Union. The commissioners arrived in Washington on February 3, and, being introduced by the resident Hawaiian minister to the Secretary of State, laid before him their credentials and asked to enter upon negotiations. President Harrison, having satisfied himself that they represented the *de facto* and established government, and that ultimate annexation had been for many

years the policy of the United States, authorized negotiations, which resulted in the signing of a treaty on February 14 providing for the incorporation of the Hawaiian Islands into the United States as a territory.[1]

President Harrison's administration came to a close on March 3, and in the brief time before adjournment no action was taken on the treaty by the Senate. One of the first acts of Mr. Cleveland after his inauguration for a second term was to withdraw the treaty of annexation from the Senate. He was impressed by the declaration of the queen that she had been dethroned through the presence of the United States troops and against the will of a large majority of her subjects, and he sent a commissioner, Hon. J. H. Blount, to Hawaii to investigate and report upon the causes of the revolution and the sentiments of the people towards the provisional government. After a lengthy investigation Mr. Blount reported that the party which supported the new government constituted the intelligence and owned most of the property on the islands, that the greater part of the natives were in favor of the ex-queen, and that the revolution succeeded through the support of the United States minister and troops.

Upon the return of Mr. Blount, President Cleveland appointed a minister to Hawaii, accredited to the provisional government, but with instructions to inform the ex-queen that upon the facts reported by Mr.

[1] For events of Kalakaua's reign, U. S. For. Rel. 1894, Appendix ii. p. 645. For sketch of revolution, ib. 777; Minister Stevens's account, ib. 207. For President Harrison's message and treaty of annexation of 1893, ib. 197.

Blount he had decided that she ought to be restored to power, upon condition that she would grant full amnesty to all persons. The minister had an interview with the ex-queen and informed her of the President's decision. She replied that she would behead the leaders of the revolution and confiscate their property. This answer was communicated to the President and a reply was received by the minister that he would cease all efforts to restore her sovereignty unless she agreed to amnesty. A month after the first interview a second was held in which the ex-queen stated that the leaders of the revolution should be banished and their property confiscated. Two days afterwards, December 18, 1893, she repeated her declaration, but after the third interview she gave her consent in writing to the wishes of the President.

On the next day the minister asked for an interview with President Dole and his ministers, which was at once granted. He then communicated to them the views of President Cleveland and the written assurance of the ex-queen, and asked them to relinquish promptly to her the government. On the 23d President Dole replied by note, denying the right of the President of the United States to interfere in the domestic affairs of the Hawaiian government, and "respectfully and unhesitatingly" declined "to surrender its authority to the ex-queen."

On the assembling of the Congress of the United States in December, 1893, President Cleveland sent a special message to that body, in which he gave the reasons for the course he had pursued, inclosed the

correspondence and documents relating to the question, and submitted the subject "to the broader authority and discretion of Congress." Upon receiving President Dole's declination to surrender the government, the correspondence relating to it and the report of the ex-queen's conduct were transmitted to Congress without comment. The whole subject having been relegated to Congress, the Committee on Foreign Relations of the Senate made an extended investigation, examined a large number of witnesses, and submitted a majority report through Senator Morgan, which vindicated the diplomatic and naval officers of the United States from undue influence, declared that the recognition of the provisional government was "lawful and authoritative," and found that the queen's proposed action to overturn the constitution was itself revolutionary. The minority of the committee dissented from these findings. No further action on the subject was taken by that body.[1]

The provisional government, having accepted the action of President Cleveland as a rejection by the executive of the treaty of annexation, proceeded to effect a permanent organization. An election was ordered for delegates to a constitutional convention, the electors being all adult male inhabitants of native, American, or European descent who took the oath to support the government. The convention assembled

[1] For President Cleveland's messages, 9 Presidents' Messages, 393; U. S. For. Rel. 1894, Appendix ii. pp. 267, 445, 1193, 1241, 1285. Mr. Blount's Report, ib. pp. 467–1150. On restoration of the queen, ib. pp. 1189–1292. Senate Report of 1894, S. Report No. 227, 53d Cong. 2d Sess.

and adopted a republican form of government, the constitution being proclaimed and the republic organized on July 4, 1894.[1]

The new government received the prompt recognition of all the powers having treaty relations with Hawaii, including the United States, and its authority was peacefully acquiesced in by the inhabitants throughout the entire group. The bloodthirsty conduct of the ex-queen satisfied the responsible and intelligent residents that she was unworthy to be reinstated, and it likewise disgusted those persons in the United States who had been inclined to sympathize with her as an unjustly dethroned ruler. The republican authorities continued to administer the government, with a single feeble attempt at revolution in January, 1895, which was promptly suppressed, through a period of four years in which the country enjoyed unexampled peace and prosperity. Never before in its history had there been such honesty in administration, such economy in expenditures, such uniform justice in the enforcement of the laws and respect for the officials, such advance in education, and such encouragement of commerce and protection to life and property.

Soon after a change in the government at Washington had occurred, by the inauguration of President McKinley, the subject of annexation was revived, and on June 16, 1897, a new treaty was signed, similar to the one made in 1893, except that the provision for annuities to the ex-queen and late heir apparent were omitted, and it was sent to the Senate for its consideration and action.

[1] U. S. For. Rel. 1894, Appendix ii. 1311–1319, 1350.

When this fact became public the Japanese government, through its minister in Washington, sent to the Secretary of State a protest against the annexation, on the ground, first, that the maintenance of the independence of Hawaii was essential to the good understanding of the powers having interests in the Pacific; second, that annexation would tend to endanger the rights of Japanese subjects resident in Hawaii secured by treaty; and, third, that it might postpone the settlement of Japanese claims against Hawaii. To the statement of the Secretary of State that Japan had made no protest against the treaty of 1893, the answer was that since that date the enlargement of the interests of Japan and its expanding activities in the Pacific had created a very different situation. The Japanese population in Hawaii had so increased as to exceed the native inhabitants; and since the war with China the Japanese in the islands had become quite self-assertive, and their government so positive in the enforcement of the claims of its subjects as to alarm seriously the Hawaiian republic.[1] Assurances, however, being given that Japanese treaty rights and pending claims should

[1] The population of the Hawaiian Islands, as shown by the official census of the United States for 1900, was as follows: —

		PER CENT.
Hawaiians	29,799	19.3
Part Hawaiians	7,857	5.1
Caucasians	28,819	18.7
Chinese	25,767	16.7
Japanese	61,111	39.7
All others	648	0.5
	154,001	

not be prejudiced by annexation, the protest of the imperial government was not further pressed, and the friendly relations were not disturbed.

The treaty was still pending in the Senate when the United States declared war against Spain in April, 1898, and after Admiral Dewey's victory in Manila Bay it was manifest that the occupation of the Hawaiian Islands had become a military necessity. There being some question as to the possibility of securing the requisite two thirds vote in the Senate for the approval of the treaty of annexation, it was determined to follow the precedent in the annexation of Texas, and to bring about the result by means of a joint resolution of the two houses. The terms of the treaty were thereupon embodied in such a resolution, and, after a brief discussion in each chamber, it was passed by more than a two thirds vote in both houses, and became a law July 7, 1898.[1]

The necessary formalities were promptly complied with, and Hawaii was incorporated into the American Union. It was, in accordance with the treaty and joint resolution, constituted a territory, and President Dole was appointed the first governor. In 1900 Congress passed an act for the organization of the Territory of Hawaii, in which the elective franchise was conferred upon all Hawaiian citizens, who by the terms of the treaty had become citizens of the United States.

[1] For treaty of 1897, S. Report No. 681, 55th Cong. 2d Sess. p. 96. For debate in House, Congressional Record, vol. xxxi. pp. 5770–5973; in Senate, 6140–6693. For Joint Resolution, 30 Stat. at L. 750. For organic act of territory, 31 Stat. at L. 141.

The sovereignty of the United States has been peacefully accepted by all its inhabitants, and after a hundred years of turmoil and uncertainty the islands are reposing in prosperity and stability, disturbed only by the political excitement incident to a democratic system of government.

It has not been possible, within the compass of this volume, to narrate in detail the events attending the transfer of Hawaii to the United States or to review the merits of the controversy on that subject. The citation of official documents given will enable the student to pursue his investigation at will.

The annexation of Hawaii to the United States was the necessary result of the policy announced by Secretary Webster in 1842, and steadily pursued by each succeeding administration. This result was foreseen by European statesmen such as Lord Palmerston, and by intelligent observers of the geographical situation of the islands in relation to the commerce of the Pacific. The reasons for it were doubly increased by the acquisition of the Philippine Islands. Hawaii then became more than an outpost of the territory of the American Union on the western coast of the continent. It was a link in the chain of its possessions in the Pacific. It would have been the excess of political unwisdom to allow this group of islands to fall into the hands of Great Britain or Japan, either of which powers stood ready to occupy them.

The native inhabitants had proved themselves incapable of maintaining a respectable and responsible government, and lacked the energy or the will to

improve the advantages which Providence had given them in a fertile soil. They were fast dying out as a race, and their places were being occupied by sturdy laborers from China and Japan. There was presented to the American residents the same problem which confronted their forefathers two centuries before in their contact with the aborigines of the Atlantic coast.

A government was established in Hawaii which had all the elements of a *de jure* and *de facto* sovereignty, and had vigorously maintained itself for four years. It sought for incorporation into the American Union. Under all the circumstances the President and Congress of the United States would have been recreant to their trust if they had failed to take advantage of the opportunity.

XII

THE SAMOAN COMPLICATION

A REVIEW of the diplomatic relations of the United States in the Pacific Ocean would hardly be complete without some reference to the Samoan Islands, although their situation south of the equator places them in great measure beyond the sphere of American activity in that ocean. Besides, their recent history brings into prominence the policy of the United States respecting the native governments of the groups of islands in Polynesia, and furnishes an example of the effects of an alliance or joint engagement with other powers.

The first permanent intercourse of the inhabitants of the Samoan group with foreigners was with missionaries. A few years after the establishment of the American missions in Hawaii, the London Missionary Society — an organization which has done much useful work in Polynesia — sent missionaries to Samoa, and they have continued to labor there with considerable success up to the present time. The general testimony is that their influence on the inhabitants has been salutary. Mr. Tripp, the United States commissioner sent in 1899 to investigate the condition of affairs, reported to the Secretary of State that "these people are far from being savages. They are splendid specimens of physical manhood, and all are well informed about matters

of general information. They are nearly all Christians, and are very devout in their attachment to their church and religion. . . . Thanks to the missionaries the great bulk of the natives and nearly all the chiefs can read and write and are adopting the habits of civilization with great alacrity." In recent years the Catholics have established missions, and have gathered a considerable number of adherents.

Foreign traders arrived soon after the missionaries, but it was several years before they permanently settled in the islands. The first to establish themselves were the Germans, and they were followed by British and Americans. The intercourse of this class has had a most deleterious effect upon the natives. They interfered with the government, stirred up strife, and set the people at variance with each other through their support of rival chiefs. They circumvented or disregarded the prohibitions which the missionaries had induced the native rulers to enact against the importation of firearms and liquors. The injurious effect of this importation was brought to the attention of the British government, and Parliament enacted laws making the traffic unlawful for British subjects in the islands still under native rule. Hence the guilty parties in this nefarious commerce were mostly the Germans and Americans.

The first time the attention of the United States was officially called to these islands was in 1872. Commander Meade, in the naval steamer Narragansett, on a cruise in the South Pacific, entered the harbor of Pago Pago in Tutuila, and found the islands in a state of

great disorder and fearful of foreign domination. At the solicitation of the great chief of the island of Tutuila he entered into an agreement with the latter whereby the harbor of Pago Pago — said to be the best in the South Seas — was ceded to the United States as a naval station, and the commander for his government assumed a protectorate over the dominions of the chief. Although the act was done without authority, President Grant sent the agreement to the Senate for its consideration, stating that the acquisition of the harbor would be of great advantage, but that a modification as to the proposed protectorate ought to be made before the agreement should be approved. The Senate, however, took no action upon it.

Doubtless influenced by the Meade agreement, Secretary Fish in 1873 sent a special agent — A. B. Steinberger — to Samoa to report upon its condition, especially with a view to the increase of commercial relations. Steinberger returned to the United States and submitted his report, and was again sent to the islands, bearing kindly messages and presents from the President to its chiefs. In his instructions he was told that he could not give the chiefs any assurance of a protectorate, as it was "adverse to the usual traditions of the government." With this second visit Steinberger's connection with the government of the United States ceased, but he had so ingratiated himself with the rulers as to be made their adviser, and for a few years was the controlling spirit of the island government. He, however, incurred the disfavor of the British and American consuls, because of too great an intimacy

with the leading German firm, and with the approval of the American consul was deported in a British man-of-war, and thus ended his career as premier.[1]

The disorder in Samoa continuing, the chiefs looked to some foreign power to give them a stable government. A deputation went in 1877 to Fiji to ask support from the British authorities there, but without success. The same year they dispatched an envoy to Washington to seek a protectorate from the United States. The protectorate was declined, but Secretary Evarts made a commercial treaty with him in 1878, which was afterwards ratified by the chiefs, and in which the use of Pago Pago as a naval station was secured. The following year commercial treaties with the chiefs were made by Germany and Great Britain. Thus by these three powers was the independence of Samoa recognized. The treaties were followed by a convention the same year between the three powers, represented by their consuls, and the king of Samoa, whereby a municipal government, under control of the three consuls, was provided for Apia, the chief town of the islands.[2]

The next few years were full of wrangling between the consuls of the three treaty powers, and of discord, and sometimes of open war, between the recognized king, Malietoa, and the rival aspirants, Tamasese and

[1] 7 Presidents' Messages, 168 ; S. Ex. Doc. 45, 43d Cong. 1st Sess. ; H. Ex. Doc. 161, 44th Cong. 1st Sess. ; H. Ex. Doc. 44, 44th Cong. 2d Sess. ; A Foot-Note to History, Eight Years of Trouble in Samoa, by Robert Louis Stevenson, New York, 1892, p. 38.

[2] 7 Presidents' Messages, 469, 497 ; Treaties of U. S. 972 ; H. Ex. Doc. 238, 50th Cong. 1st Sess. pp. 126–134.

Mataafa. The Germans had been longest on the islands, and controlled much the greater part of their trade. They had also acquired, largely by very questionable transactions with the natives, the possession of considerable areas of land. The trade with Great Britain was next in importance, but very small. The British government had two reasons for its interest in the islands: the presence of the English missionaries and the proximity of its possessions in that quarter of the globe. The commerce of the United States was quite insignificant, and there were few American residents. The chiefs had, however, time and again petitioned the United States to extend its protection against occupation by other powers, and twice had the American consul, upon his own responsibility, raised the national flag, to prevent, as he alleged, the annexation of the islands, first by Great Britain and then by Germany.

This turbulent state of affairs reached a crisis in 1885, when the German consul, on the claim that German interests were not protected, assumed control of affairs in the name of his government, and raised his flag in evidence of the exercise of sovereignty. This was responded to on the part of the American consul by the display of his flag, accompanied by the proclamation of an American protectorate over the islands. The act of the consul was promptly disavowed by the United States, and later the German government disclaimed responsibility for the conduct of its consul. But the events caused Secretary Bayard to address a note to both the German and British governments, asking that their ministers at Washington be authorized

to confer with him upon some scheme which would preserve the peace and assure to the islands a stable government. This proposition was assented to, and a conference of the three powers was held in Washington during the year 1887.

Two plans for the reorganization of the Samoan government were submitted. One was by the German minister, and was supported by his British colleague, the two governments having apparently reached an understanding as to their respective interests in the Pacific. This plan, based upon the claim of the superior interests of Germany in Samoa, would have given to that power a controlling influence in the islands. Mr. Bayard strenuously objected to the predominant control of any one power, and he proposed that the administration of affairs should be committed to an executive council consisting of the king and three foreigners, one to be nominated by each of the powers, and that the three governments should in turn keep a vessel in Samoan waters, to preserve the peace, and enforce, if necessary, the orders of the executive council.

The conference failed to reach an agreement, and an adjournment of some months was taken, to enable the British and German ministers to consult their governments, it being understood that the *status quo* would be meanwhile maintained. Immediately after the adjournment, the German consul, under the orders of his government, made a demand upon Malietoa for reparation for certain wrongs alleged to have been committed by him and his people previous to the meeting of the conference, and upon his refusal war was declared,

Malietoa was dethroned and deported, and Tamasese was installed as king, with a German, one Brandeis, as adviser. This provoked a counter-revolution led by Mataafa, and again general disorder prevailed throughout the group.

Much indignation was felt in the United States against Germany on account of its attitude in Samoa, and Congress made an appropriation of a half million of dollars for the protection of American interests. President Cleveland dispatched a squadron of the navy to Apia, which soon after its arrival was destroyed in the harbor by a hurricane, with the loss of a considerable number of its officers and men, an event which cast a gloom over the country, but gave increased interest to the question.

Secretary Bayard, by note to the minister at Berlin, made an energetic protest against the action of the German authorities in Samoa, taken with a view to obtain personal and commercial advantages and political supremacy, which was in direct violation of the agreement of the conference. On the other hand, he declared that the policy of the United States had been actuated not so much by the idea of any commercial interest, as by a benevolent desire to promote the development and secure the independence of one of the few remaining autonomous native governments in the Pacific Ocean. He passed in review the recent events in that quarter of the globe, showing how the European governments had appropriated, at their own will, the Polynesian islands, until almost the last vestige of native autonomy had been obliterated.

This note initiated a correspondence, which led to a proposition from Count Bismarck, in February, 1889, for the reassembling of the conference of the three powers, and invited a meeting at Berlin. This proposition was promptly accepted by Secretary Bayard, but as President Cleveland's administration was drawing to a close, the appointment of the American representatives to the conference was left to his successor. Soon after the inauguration of President Harrison, Messrs. Kasson, W. W. Phelps, and Bates were appointed commissioners to Berlin, Mr. Bates having made a visit to Samoa as special agent under the direction of Secretary Bayard.

In giving instructions to the commissioners, Secretary Blaine called attention to the plan proposed by Secretary Bayard in the first conference, and said that "It was not in harmony with the established policy of this government. For if it is not a joint protectorate, to which there are such grave and obvious objections, it is hardly less than that and does not in any event promise efficient action." He said the President disapproved of the plan, but if intervention in the affairs of Samoa should become absolutely necessary in the existing complication, "It is the earnest desire of the President that this intervention should be temporary." The commissioners, however, found that no other plan than joint intervention could save the islands from the complete control of Germany, and Secretary Bayard's plan was adopted in principle, though considerably modified in detail.

The plan as finally agreed to recognized the inde-

pendence of the Samoan government and the right of the natives to choose their king and form of government according to their own laws and customs; Malietoa was recognized as king till his fixed term expired; a foreign chief justice was to be appointed by agreement of the three powers, and was given extensive authority not only of a judicial, but also of a political character; a foreign municipal government for Apia, with a foreign president chosen by the three powers, was to be organized; and a foreign land commission of three members, one selected by each power, was to be constituted to pass upon all land titles, a measure which had been strongly urged by Secretary Bayard; a method of taxation was devised; and the sale of firearms and liquors to the natives was prohibited.[1]

It is difficult to recognize in this plan an independent Samoan government, but no other method of securing order and peace seemed possible except to transfer the control of the government to Germany. Malietoa and his chiefs signified their acceptance of the plan, and the machinery of the new government was put into operation. But in a little while it began to encounter difficulties. The writs of the chief justice were not respected by the natives; they likewise resisted the taxes levied upon them; the chief justice and the president of the Apia municipality were soon at cross-purposes; and Mataafa raised the standard of revolt, and when he was deported by the powers, Tamasese continued the

[1] H. Ex. Doc. 238, 50th Cong. 1st Sess.; S. Ex. Docs. 31, 68, and 102; H. Ex. Docs. 118 and 119, 50th Cong. 2d Sess.; U. S. For. Rel. 1889, pp. 179–423. For tripartite treaty, ib. 353.

strife for the kingship. The three nations were frequently required to intervene with their men-of-war to restore order; and the event anticipated by Secretary Blaine, that the joint protectorate scheme would not produce "efficient action," was in process of realization.

During Mr. Cleveland's second administration it became evident that the joint protectorate, which his former administration had initiated, was a failure; and his Secretary of State, Mr. Gresham, frankly recognized the mistake which had been committed, characterizing it as "the first departure from our traditional and well established policy of avoiding entangling alliances with foreign powers in relation to objects remote from this hemisphere." The correspondence respecting the subject was sent to Congress in May, 1894, and in his next annual message President Cleveland recommended that steps be taken to withdraw from the joint government. He renewed this recommendation in his annual message of 1895, but Congress took no action respecting it.[1]

The unsatisfactory workings of the tripartite protectorate continued during the administration of President McKinley, but as no better adjustment was suggested, the government continued under that plan until a state of affairs developed which forced a renewed consideration of the subject upon the powers. Malietoa died in 1898, and this event revived the conflicting claims to the kingship. The chief justice decided in favor of

[1] U. S. For. Rel. 1894, Appendix i. p. 504; 9 Presidents' Messages, 439, 531, 635. For events up to 1892, Stevenson's Samoa (cited); from 1881 to 1885, My Consulate in Samoa, by W. B. Churchward, London, 1887.

Malietoa Tanu, and Mataafa, who had been brought back from exile, again inaugurated civil war. The German consul and resident subjects sympathized with Mataafa, and the American and British consuls sought to uphold the authority of the legitimate ruler. This awakened the former national antagonism, which had for some years been quiescent. The commanders of the American and British men-of-war, which had been sent to the scene of disorder, felt it necessary to land marines and restrain the aggressions of the natives. In the conflicts which ensued several American officers and sailors lost their lives, and a considerable amount of property was destroyed.

The governments of the three nations determined to seek an effective remedy for the intolerable condition of affairs, and they appointed a commission, consisting of one representative of each nation, to visit Samoa with full power to take whatever steps were necessary to restore order, and to suggest a plan for a permanent settlement of the government of the islands. The commission sailed from San Francisco in 1899. On their arrival their authority was recognized by all the consuls and by the Samoan officials and chiefs, and in a short time they were able to establish order. On July 18 they united in a report, accompanied by a new plan of government, which materially modified the Berlin act or treaty of 1889, but they expressed the conviction that it would be impossible to find a remedy for the troubles through the joint administration of the three powers.

It thus became evident that joint control of the

islands was impracticable. Germany proposed a partition of the group among the powers. Great Britain, having the assurance from Germany of territorial compensation in other directions, acquiesced in the proposition. The trade of the United States with Samoa was very inconsiderable, and its chief material interest in the group was the use of the harbor of Pago Pago as a naval station. An agreement was finally reached between the three powers that the United States should be given the control of Tutuila and its outlying islets, and that all the other islands should be taken by Germany; and treaties to that effect were signed in November and December, 1899. Malietoa Tanu protested against this disposition of his kingdom, and also addressed a letter to the London "Times," in which he asserted that the civilization which had been introduced by the foreign governments into Polynesia was inferior to that which its inhabitants previously possessed.[1]

The United States had made an honest effort to preserve, as Secretary Bayard expressed it, "almost the last vestige of native autonomy in the islands of the Pacific." It had failed, mainly owing to the perverse obstruction of the German interests in the islands, and the only alternative for the United States seemed to be a withdrawal from the ineffectual and unsatisfactory joint control. More than twenty years previously it had acquired the right to use the commodious harbor

[1] U. S. For. Rel. 1899, pp. 604–673; for treaty of partition, ib. 667; London Times, Jan. 12, 1900. For full review of Samoan affairs, American Diplomatic Questions, by John B. Henderson, Jr., New York, 1901, chap. iii.; for briefer account, American Relations in the Pacific, by J. M. Callahan, Baltimore, 1901, chap. ix.

of Pago Pago, a privilege which had become much more valuable on account of its recent great maritime and territorial expansion in the Pacific. In order to make that privilege effective it became necessary, in the partition, to reserve to itself the control of the small island which contains this harbor. Up to the present the inhabitants of Tutuila have been left to the government of their own chiefs, with such supervision as the commandant of the naval station of Pago Pago finds it necessary to exercise, in order to restrain illicit foreign trade and intercourse.

This experiment of controlling distant territory in coöperation with other foreign powers may be accepted as a warning to the United States to avoid such complications in the future. And yet the very next year after the abandonment of the tripartite control in Samoa the United States was forced into joint action with ten other powers, for the purpose of protecting its interests in China. While the caution which Washington gave his countrymen in his farewell address to avoid entangling alliances has not lost its virtue, the nation has attained such a position among the powers of the earth that it cannot remain a passive spectator of international affairs.

XIII

THE SPANISH WAR: ITS RESULTS

The foregoing pages constitute a narrative of the disinterested efforts of the United States to establish and maintain friendly relations and free commercial intercourse with the countries of the Orient. It has been seen that whenever the American representatives have approached the governments of China, Japan, Korea, and Siam, it was with the statement that their far-away people cherish no scheme of territorial aggrandizement in that region of the world, and that their only desire was to secure mutual benefit from the establishment of trade and to extend the influence of Christian civilization.

An event is now to be recorded which introduced a new factor in the relations of the United States with the Orient and which materially affected its political and commercial conditions and changed its foreign policy. From being a distant country concerned only in unselfish friendship and industrial development, it suddenly and unexpectedly became sovereign over a numerous Asiatic people and possessed of an extensive territorial domain in that quarter of the globe which was to be defended by an American army and navy.

The war with Spain in 1898 was entered upon by the government and people of the United States with no

thought of territorial acquisition in the Pacific Ocean. The condition of the island of Cuba had been for three quarters of a century a source of embarrassment and concern to them, and the war was undertaken, in the language of President McKinley to Congress, "to relieve the intolerable condition of affairs which is at our doors." The joint resolution of Congress of April 20, 1898, which was virtually the declaration of war, announced the sole purpose to be the expulsion of Spain from Cuba and the establishment there of a free and independent government. But the victory of Admiral Dewey in Manila Bay modified all these plans. The dispatch of his squadron to the Philippines was made necessary by the exposure of American commerce in the Orient and of American cities and towns on the Pacific coast to the reprisals of the Spanish fleet. He fulfilled his orders when he destroyed that fleet. But there was not a single harbor in all the Asiatic waters where his squadron could remain in time of war. His only course was to continue in the harbor captured from the enemy till he received orders from his government.[1]

The close of the war found the Americans in possession of Cuba, Porto Rico, and Manila Bay. The disposition of these conquests presented a serious problem to their government.

The year 1852 saw the end of the careers of the

[1] During the time the admiral remained in Manila Bay he added to his brilliant achievement of arms by wise conduct in his relations with the commanders of foreign squadrons in sympathy with the defeated foe, thus showing himself worthy to be ranked with Perry and Schufeldt in diplomatic service in the Orient.

triumvirate of great statesmen of the middle period of American history, Calhoun, Clay, and Webster. Henry Clay, in the early period of his political life, was chiefly instrumental in precipitating war with England, in expectation of the conquest of Canada; and he devoted the later years of his public service to laying the foundation of the system of protection out of which has come in large measure the present power and prosperity of the nation. W. H. Seward, who realized more clearly than any other American the great destiny of his country in the Pacific Ocean, standing by the bier of Clay in the senate chamber, uttered these words, which to-day sound like the inspiration of the seer: —

"Certainly, Sir, the great lights of the Senate have set. . . . We are rising to another and a more sublime stage of national progress — that of expanding wealth and rapid territorial aggrandizement. Our institutions throw a broad shadow across the St. Lawrence, and stretching beyond the valley of Mexico, reaches even to the plains of Central America; while the Sandwich Islands and the shores of China recognize its renovating influence. Wherever that influence is felt, a desire for protection under these institutions is awakened. Expansion seems to be regulated, not by any difficulties of resistance, but from the moderation which results from our own internal constitution. No one knows how rapidly that restraint may give way. Who can tell how fast or how far it ought to yield? Commerce has brought the ancient continents near to us, and created necessities for new positions — perhaps connections or colonies there. . . . Even prudence will soon

be required to decide whether distant regions, East or West, shall come under our protection, or be left to aggrandize a rapidly spreading and hostile domain of despotism. Sir, who among us is equal to these mighty questions? I fear there is no one."[1]

These "mighty questions" confronted President McKinley at the close of the Spanish war. It was a comparatively easy matter to decide respecting Cuba and Porto Rico, but the disposition of the Philippines was a much more difficult problem. The country had already to some extent entered upon territorial acquisition in the Pacific. The right to the occupation of the island of Tutuila, in the Samoan group, with the commodious harbor of Pago Pago, had been acquired years before, and the Hawaiian Islands had been added to the American Union. But it was a long stretch across the Pacific to the southern shores of China and Siam. In his perplexity as to the course to be pursued, the President caused to be inserted in the protocol of August 12, 1898, which suspended hostilities and formed the basis for the treaty of peace, the following provision: —

"The United States will occupy and hold the city, bay and harbor of Manila, pending the conclusion of a treaty of peace, which shall determine the control, disposition and government of the Philippines."

While the protocol provided that Spain should relinquish its sovereignty over Cuba, and that it should cede to the United States Porto Rico and other islands in the West Indies, no allusion was made to a change of

[1] Obituary Addresses on the Death of Henry Clay, Washington, 1852, p. 49.

sovereignty in the Philippines. A careful examination of the diplomatic history of the period shows that the attitude of the government which resulted in the acquisition of those islands passed through three stages before the final consummation. In the first stage the President, who from the beginning to the conclusion guided the negotiations, was not in favor of demanding the sovereignty and possession of the islands. The language of the protocol sustains this view, and it is confirmed by the President's unofficial declarations.[1]

A month after the protocol was signed, Messrs. W. R. Day, C. K. Davis, W. P. Frye, George Gray, and Whitelaw Reid were appointed commissioners to negotiate a treaty of peace; and three days afterwards they received their instructions. In this interval the President had changed his attitude. The instructions given the commissioners say: "Without any original thought of complete or even partial acquisition, the presence and success of our arms at Manila [which had been surrendered the day after the protocol was signed] impose upon us obligations which we cannot disregard. The march of events rules and overrules human action." The commissioners were directed to ask for the cession of the island of Luzon, and for reciprocal commercial privileges in the other islands of the Spanish group.

The American representatives arrived in Paris September 28, and held their first meeting with the Spanish

[1] On January, 1899, President McKinley stated to Dr. Schurman that he did not want the Philippine Islands. He said: "In the protocol to the treaty I left myself free not to take them; but in the end there was no alternative." Philippine Affairs, An Address by J. G. Schurman, New York, 1902, p. 2.

commissioners October 1. During recess between conferences with the Spanish negotiators, and before the subject of the Philippines was reached, they examined a number of persons more or less informed as to these islands, including General Merritt, commander of the American army at Manila, who was ordered to Paris to advise with the commissioners. The trend of the information received by them was that the natives were strongly opposed to the restoration of Spanish authority; that its rule had been most oppressive and cruel; that the natives were not capable of sustaining an independent government; and that if American authority was withdrawn the islands would fall into hopeless anarchy and misrule. This testimony as taken was cabled to Washington. On October 25, Mr. Day (late Secretary of State) informed the President that there existed differences of opinion among the commission as to the course to be pursued, and asked for further instructions. He himself doubted the wisdom of extending American sovereignty over the Philippines, but would acquiesce in the occupation of Luzon as a commercial base and a naval station. Senator Gray opposed the taking of any part of the territory. The other three commissioners favored a demand for the cession of the entire Philippine group.

Meanwhile the President had made a visit through the States of the central West, attended several peace jubilees, and returned to Washington impressed with the popular sentiment apparently favorable to the acquisition of all the Philippine Islands; and on October 26 Secretary Hay cabled the commission that the President

was convinced that, on political, commercial, and humanitarian grounds, the cession must be of the whole archipelago. He "is deeply sensible of the grave responsibilities it will impose," but he believes "this course will entail less trouble than any other, and besides will best subserve the interests of the people involved, for whose welfare we cannot escape responsibility."

Thus the third and last stage in the attitude of the government was reached, and a proposition was submitted to the Spanish commissioners for the cession of the Philippines, and the payment to Spain of twenty millions of dollars. The Spanish commissioners protested that the proposition was in violation of the peace protocol, but in order to avoid the horrors of war, they resigned themselves "to the painful strait of submitting to the law of the victor;" and the treaty of peace was signed which contained the cession of the entire Philippine group to the United States.[1]

Three reasons were advanced for requiring the cession of the Philippines, based upon political, commercial, and moral grounds.

It was claimed that the United States had reached a stage in its history where it should no longer confine its influences to the western hemisphere. Modern means of communication had annihilated distance, so that the United States was nearer to the Philippines than it was to California when that territory was acquired from

[1] Peace Protocol, S. Doc. No. 62, Pt. i. 55th Cong. 3d Sess. 282; Instructions to Peace Commissioners, S. Doc. 148, 56th Cong. 2d Sess. 3; Negotiations, Docs. Nos. 62 and 148 (cited); Treaty of Peace, Doc. No. 62 (cited), 5.

Mexico. The Pacific Ocean had become the area of interest to the civilized world, and it was not only proper, but essential to the future prosperity of the United States to secure a commanding and controlling station on the Asiatic side of the Pacific.

The argument for a complete cession from a commercial standpoint was that the recent enormous increase in productiveness of American industries and in the export trade required an extension of markets; that it was impossible to enter into competition with European countries without following their methods in securing a base for commercial operations; and that, although the policy of the United States was "the open door," this could not be maintained without asserting American political power, especially in the part of the world where the greatest markets were situated.

The moral grounds for the possession of the Philippines were that the colonial administration of Spain had been conducted with great cruelty, injustice, and in disregard of personal rights; that it would be inhuman and morally wrong to permit Spain to retain her sovereignty; that the weakened power of that government would be unable to tranquillize the disordered and lawless conditions existing in the islands, to protect life and property, and to perform the obligations incident to government; and that it was for the interest of the people of the Philippines in particular, and mankind in general, to extend to the archipelago the principles of civil liberty, equality, and self-government, which form the basis of American institutions, and that to do so was a duty to the world which the United States could not

rightfully ignore. It is impossible to read the utterances of President McKinley during and following the negotiations, without being satisfied that these latter considerations exercised a controlling influence with him in determining the destiny of the islands.

There was a large party in the United States which combated all these reasons, and contended that the addition to the American domain of distant regions and races would lead to hurtful innovations in the system of government, to the oppression of an unwilling people, to a large increase in the standing army and the navy with heavy financial burdens, and to threatening foreign complications. But this opposition was no greater than had been manifested at the time of the addition to the American possessions of the Louisiana territory, Texas, California, and Hawaii. Since the beginning of its history, every step taken in the enlargement of the bounds of the Union had been popular with the masses of its citizens, had resulted in increased prosperity to the nation, and in benefit to the inhabitants of the annexed territory. Such, it was argued, would be the result as to the new possessions in the Orient.

Following soon after the acquisition of the Philippines, and while the government of the United States was actively engaged in restoring order and establishing a stable administration in its new possessions, the mutterings of a storm were heard in China which threatened to disorganize the government of that country, to paralyze its commerce, and to put in peril the lives and property of all foreign residents. In a few months the storm broke with a violence hitherto unknown

in that land of riots and disorder. The civilized world was horrified by the massacre of foreigners, — men, women, and helpless children, — the destruction of foreign-built railways and property, and finally by the news that one foreign minister had been murdered in a street of the capital, and that all the other diplomatic representatives were besieged in their legations and their lives threatened by a bloodthirsty mob which had overawed or was controlling the imperial government. In answer to the urgent call which came from the beleaguered diplomats and foreigners resident at Peking, Tientsin, and other places, the United States, within a brief space was able from its forces in the Philippines to land upon Chinese soil a division of its army, supported by a squadron of its navy, and to take an important and honorable part in the rescue of its citizens and in the pacification and reorganization of the empire.

The so-called "Boxer" movement, which was the occasion of these troubles, suddenly dominated several of the most populous provinces and the imperial capital, and for a time threatened to carry the whole nation with it, in its cry for the expulsion of all foreigners from the country. Such a widespread and powerful movement, which imposed upon the United States and the other civilized powers the task of readjusting the foreign and domestic relations of the great empire, demands careful consideration.

China has been described as honeycombed with secret societies. The *I Ho Tuan*, or "Boxers," variously translated the "Sacred Harmony Fist," "Fists

of Righteous Harmony," or "The Fist of Equality," had existed in the province of Shantung for many years, and so long ago as 1803 it had been prohibited by the government. It seems to have had as its object mutual benefit and support, mixed with patriotic and religious ideas and the practice of mysticism and magic. One of the best informed writers on Chinese affairs says the organization "remains and perhaps will continue to remain to a large extent a mystery to Occidentals." The events following the war with Japan gave to it increased activity, and, instigated and supported by the mandarins and literati, it rapidly spread through the province. With the cry of "Drive out the foreigners and uphold the dynasty," it entered upon its self-appointed work of the expulsion of all foreigners from China, which culminated in the siege of the legations and the occupation of Peking by the armies of the treaty powers.[1]

The immediate cause of the "Boxer" uprising was the antipathy to foreigners and foreign ways, a feeling which prevails throughout the entire population of the empire, with very rare exceptions. The foreigners in China may be divided into three classes, — the missionaries, the merchants, and the public officials of other nations; and the lines of foreign activity are three, — missionary, commercial, and political.

The missionary movement in the interior of China

[1] The Boxer Rising, Shanghai Mercury, Shanghai, 1900; 1 China in Convulsion, by Rev. A. H. Smith, New York, 1901, chaps. x.–xiii.; The Siege of Peking, by Dr. W. A. P. Martin, New York, 1900, chap. iv.; China and the Powers, by H. C. Thompson, London, 1902, chaps. i. and xiii.; U. S. For. Rel. 1898, China; S. Ex. Doc. 67, 57th Cong. 1st Sess. 75.

did not really begin until after the signing of the treaties of 1858. Some work had been done previously by the Roman Catholics, but without security and protection, and by the Protestants in the vicinity of the treaty ports, but the country had been practically closed to Christianity since the earliest intercourse with Europeans. Francis Xavier, returning from his successful labors in Japan, landed on the coast of China in 1552 and found it hermetically sealed against him. His noble soul could not brook the restraint, and there he died, exclaiming, "Oh! rock, rock, when wilt thou open?" By the American and British treaties of 1858 religious liberty was for the first time guaranteed, and by the French treaty the missionaries were permitted to acquire land and erect buildings in all the provinces. Since that date Christianity has been extended throughout almost all parts of the empire. There are now in the field about eighteen hundred Catholic and twenty-eight hundred Protestant foreign missionaries, and the converts are variously estimated at from five hundred thousand to over one million.

The testimony of the best observers is that the Chinese are not inclined to religious persecution, and that their antipathy to the missionaries is not so much on account of their religion as because they are foreigners and their presence leads to the introduction of foreign methods. Nevertheless the propagation of Christianity has been attended by serious opposition and bloody riots. That of Tientsin in 1870 has already been noticed. The years 1883–84 and 1891 were marked by violent attacks upon the missions, and that

of 1895, following the Japanese war, was one of the most serious and widespread, until all former ones were surpassed by the slaughter of 1900.

The natural hatred of foreigners was aggravated by stories emanating from the gentry and literati, circulated by word of mouth, by placard and pamphlet, charging the missionaries with the kidnapping of children, murder, magic, and vile deeds. Besides, the teaching of Christianity tended to the introduction of ideas hostile to the existing governmental order and struck at ancestor worship. The missionaries opposed such native customs as slavery, concubinage, support of heathen festivals, and foot-binding. In fact, in China, as elsewhere and in all ages, the influence of Christianity was revolutionary. Its Founder declared that he "came not to send peace, but a sword." Paul, the first missionary, when he declared "the Gospel is the *power* of God," used the Greek word which has been anglicized to designate the most powerful of all modern explosives, dynamite. If the introduction of Christianity into the little island of Britain was attended with bloodshed and disorder for four hundred years, it should not be regarded as strange that in the mighty empire of the East its propagation has been marked by civil commotion.

But the missionaries were not merely the preachers of a new religion. They were useful to the government and society in many ways. The service they have rendered in diplomacy has already been referred to. Everywhere they brought the benefits of education and medicine and established schools and hospitals.

Minister Denby, who from his long official residence in China was the most competent judge, in a dispatch to the Department of State, said of the missionaries, "that their influence is beneficial to the natives; that the arts and sciences and civilization are greatly spread by their efforts; that many useful Western books are translated by them into Chinese; and that they are the leaders in all charitable work. . . . In the interest, therefore, of civilization, missionaries ought not only to be tolerated, but ought to receive protection." Their claim to protection and their useful service to China had been recognized by imperial edicts, but these could not, in the eyes of the people, change their character as odious foreigners.[1]

A careful examination will show that missions were far from being the chief cause of the disturbances of 1900. From the foregoing chapters it has been seen that the principal object of securing intercourse with the East by the Christian nations has been the introduction and extension of commerce. On its account China had time and again suffered war and great humiliation at the hands of powerful European nations. The unwelcome traffic in opium had spread its baleful effects throughout the whole land. The establishment of lines of steamships and the construction of railroads

[1] U. S. For. Rel. 1880–1897, China; Williams's Hist. China, 420–437; Martin's Cathay, Pt. ii. chap. xv.; Thompson's China, chaps. xv. and xvi.; 1 Smith's China, etc., chaps. iii.–vi.; China, her History, Diplomacy, and Commerce, by E. H. Parker, London, 1901, chap. xv.; Missionary Principles and Practice, by Robt. Speer, New York, 1902, p. 173; Report on China Missions, by Rev. A. J. Brown, New York, 1901, pp. 16–23; U. S. For. Rel. 1895, p. 197; 1899, pp. 154–178.

were throwing hundreds of thousands of Chinese out of employment. The growing importation of American and British cotton fabrics were making idle looms and untilled cotton fields. American kerosene was destroying the husbandry of vegetable oils. And in an infinity of other ways was Western commerce affecting the domestic industries, and this with a people who were intensely conservative, wedded to ancient customs, and inveterate enemies of foreign trade.

The construction of railroads was bitterly opposed by the masses of the people, not only for the reasons just stated, but because it disturbed their venerated ancestral worship. Chinese burial places are not segregated, but are found all over the face of the country. Their desecration is regarded as the most heinous of crimes. It is stated that the Germans, in constructing a line from their port of Kiaochau, a distance of forty-six miles, though using all the care possible to pass around the most thickly located burial places, had to remove no less than three thousand graves. It is not strange to learn that all lines of railway have to be guarded by soldiers.

After the Japanese war a new impetus was given to commercial enterprise. Foreign traders as well as missionaries visited the interior, and the Chinese saw their country being overrun by the hated people. A scramble for railroad and mining concessions followed, supported by the influence of the representatives of the foreign governments; grants were made to Russians, French, British, Americans, Belgians, and others; and the whole territory of the empire seemed destined to be

ploughed over by the feared and hated locomotive, and the most profitable enterprises to be placed in the hands of the despised foreigners.[1]

But the most potent cause of the Boxer movement was neither the missions nor commerce, but the political influences which were operating for the dismemberment and destruction of the empire. These influences were especially manifest during 1897 and 1898. The cession of Formosa to Japan in 1895 was not so offensive, as it was the result of a great war and some compensation to the victor in territory seemed natural. But the effect of the next aggression was quite different. Following the murder of two German Catholic priests by a mob in Shantung in November, 1897, the German government sent a strong naval force to the spacious harbor of Kiaochau, ejected the Chinese forces from the fortifications, and occupied the place with marines. This was soon followed by the demand of the German minister in Peking for an apology for the murder of the priests, a large indemnity, and a lease of the harbor and an adjoining strip of territory, with the privilege of building railroads and exploiting mines in the province of Shantung. The remonstrances of the Tsung-li Yamen against the summary method of procedure and the exorbitant demands were of no avail. The German seizure of Kiaochau was followed a month later by the occupation of Port Arthur by a Russian

[1] The Problem in China, by A. R. Colquhoun, London, 1900 ; 1 Smith's China, etc. chap. vii. ; Douglass's China, 447 ; The Story of the Chinese Crisis, by A. Krausse, London, 1900, p. 135 ; China and the Powers, by A. Ireland, Boston, 1902 ; Dr. Brown's Report, 9–13 ; Gen. Wilson's China, 394 ; Speer's Missionary, etc. 157, 161.

fleet, and in March, 1898, Russia secured a lease of that strong fortress and harbor, as well as the neighboring port of Talienwan, in the peninsula of Liaotung, with the privilege of connecting them by railroad, through Manchuria, with the Siberian trunk line. Only three years before, Russia, in conjunction with its ally France, and with Germany, had compelled Japan to give up the Liaotung peninsula, on the ground that a nation holding it might at any time threaten Peking. The action of Russia led Great Britain to demand and secure the lease of the fortress of Wei-hai-wei and a strip of adjoining territory on the opposite promontory. France, which had some years before taken the large suzerain territory of Annam and Tonquin, also secured in 1898 an enlargement of its possessions in that region at the expense of China.

These proceedings were followed by agreements or treaties between Russia and Great Britain, and between Germany and Great Britain, as to what are termed "spheres of influence" in China, without consulting the government of that country or taking its wishes or interests into account. At the demand of the same powers, several new ports were opened to foreign trade, with the usual concomitants of foreign territorial concessions and exterritorial jurisdiction; until now the extensive Chinese Empire is reduced to the anomalous condition of scarcely possessing a single harbor in all its long line of seacoast where it can concentrate its navy and establish a base of warlike operations, without the consent of the treaty powers. Not the least of the irritants which induced the Boxer movement was

the foreign authority which was exercised in the treaty ports, and the abuse and contempt with which the natives were there treated.[1]

The rulers of China understood full well the causes which had nerved their people to rise in their wrath and undertake the impossible task of the expulsion of the foreigners. In 1900, after the Boxer movement had been put down, Li Hung Chang, in giving the cause of the outbreak, stated that its chief impetus was to be found in the high-handed course of Germany, and it "was due to the deep-seated hatred of the Chinese people towards foreigners. China had been oppressed, trampled upon, coerced, cajoled, her territory taken, and her usages flouted." The empress dowager, in her famous proclamation issued when the Boxers were reaching their ascendancy, and just before the violent outburst of 1900, exclaimed: "The various powers cast upon us looks of tiger-like voracity, hustling each other in their endeavors to be the first to seize upon our inmost territory. They think that China, having neither money nor troops, would never venture to go to war with them. They fail to understand, however, that there are some things which this empire can never consent to, and that, if hard pressed, we have no alternative but to rely upon the justice of our cause, the knowledge of which in our breasts strengthens our

[1] U. S. For. Rel. 1898, pp. 182–191; 1900, p. 85; 1 Smith's China, etc. chap. viii.; The Break-Up of China, by Lord Charles Beresford, New York, 1899, chap. xxx.; Krausse's Chinese Crisis, 143, 147; China in Transformation, by A. R. Colquhoun, London, 1898, chap. xiv.; Essays on the Chinese Question, by Sir R. Hart, London, 1901, chap. v.; World Politics, by P. S. Reinsch, New York, 1900, pts. iii. and v.

resolve and steels us to present a united front against our aggressors."

Under the state of affairs thus briefly indicated, the Boxers soon overran Shantung, spread through the adjoining provinces, and were threatening the imperial capital. In 1898 the Yellow River overflowed its banks, causing widespread misery, and in 1899 famine prevailed in the near-by province of Kiangsu, and bands of robbers and lawless men added to the general disorder. The political confusion at Peking likewise contributed to the prevailing disorganization of the country. While the mass of the people, including the ruling classes, remained fixed in their conservative views, a considerable body of intelligent men had become convinced that China must follow the example of Japan, and align itself with the Western nations in its government and social institutions. The young emperor, who had studied English and read numerous translations of Western books, including the Bible, had gathered about him a number of liberal men, who realized the deplorable condition of the empire, and believed it could be overcome only by initiating reforms in the government. The emperor at once undertook the task, and over thirty edicts were issued in quick succession, providing for most radical reforms in the administrative, financial, and educational departments.

Li Hung Chang, a devoted adherent of the empress dowager, not being in accord with these measures, was relieved from his post in the Tsung-li Yamen. His rival, Chang Chih Tung, who from a bitter foreign hater had become a strong advocate of liberal ideas,

had written a book urging radical reforms, and by an edict of the emperor this book was printed and scattered broadcast over the land. The emperor and his advisers were, however, moving too fast. The conservative members of the government appealed to the empress dowager, who had a few years before nominally withdrawn from participation in public affairs, and she resolutely seized again the reins of government, practically dethroned the emperor, and proceeded to behead, banish, or imprison his supporters, his chief adviser, Kang Yu Wei, however, having escaped and fled the country.[1]

The reform movement of the emperor, which, if carried out, might have restrained foreign aggression, thus came to an end, and the government continued to endure the demands of the foreigners, and its conduct furnished additional incentive for the growth of the Boxers. Their attitude became so threatening that in November, 1898, the American and other ministers asked for guards to protect the legations. They were sent from the naval vessels at Tientsin, and remained through the winter, when they were withdrawn. The year 1899 was not marked by any serious outbreaks, though the Boxers continued to extend their organization and influence. But early in 1900 their movement assumed a more aggressive character. In May the foreign ministers addressed the Tsung-li Yamen asking

[1] Martin's Siege, chaps. ii. and iii.; China from Within, by S. P. Smith, London, 1901, chaps. ii. and iii.; 1 Smith's China, etc. chap. ix.; Thompson's China, 215; China's Only Hope, by Chang Chih-Tung, New York, 1900; U. S. For. Rel. 1898, pp. 219–221.

for their suppression, but the same month the railway stations were attacked by them, and legation guards were again hastily dispatched from Tientsin. Scarcely had they arrived when the railway between that city and Peking was seized by the Boxers June 4, and soon thereafter all telegraphic communication with the capital ceased.

Events that startled the world followed swiftly. A column of naval troops were marched overland to open up communication with the legations, and military forces were hurried forward from the American army in the Philippines, and by the other treaty powers from the nearest foreign posts. The Taku forts were occupied by the allied forces after a few hours' bombardment, — the American admiral declining, however, to take part in it, as he held it to be an act of war, and his instructions were to use his forces only for the protection of American interests; but it proved to be a wise military precaution, as the Chinese government was then under the control of the Boxers, and its forces were coöperating with them against the foreigners. Tientsin was attacked by the Chinese troops in large numbers, and the foreign residents were saved from slaughter only by the timely arrival of the allied forces. News came from Peking of the murder of the German minister and the siege of the legations, succeeded by frightful rumors of the extermination of the diplomatic corps and all foreigners in the capital.

Then followed the repulse of the column sent to the relief of the legations, their long and heroic siege, the gathering of the allied army at Tientsin, its march to

the capital, the deliverance of the besieged, and the occupation of Peking. It is not possible to give a detailed narrative these events, but it will illustrate the inveterate and all-embracing hostility of the Chinese to note the experience of two of the persons who underwent the dangers and privations of the siege. Dr. W. A. P. Martin, an American, and Sir Robert Hart, an Englishman, had each spent more than fifty years in China, the greater portion of this time in the service of the Chinese government. Martin was a scholar of rare attainments, who had translated various works on international law and kindred topics into Chinese, and for many years had presided over the Imperial University. He was pronounced by Minister Denby "the foremost American in China." Sir Robert Hart had taken charge of the Chinese customs service, brought order out of confusion, supplanted wholesale corruption with strict honesty and accountability; had from insignificant proportions made its resources largely support the government and pay its foreign indebtedness; and had been the trusted and able adviser of the cabinet and the most useful official in China. But when the storm broke upon the capital the angry mob of Boxers and soldiers, thirsting for the blood of the despised foreigner, assaulted, plundered, and burned to ashes the residences of those two public servants, Martin and Hart escaping only with their lives and the clothes on their backs to the legation quarters. All their services to the government counted as nothing with the infuriated demons.[1]

[1] For military operations, Report of U. S. Secretary of Navy for 1900, pp. 3, 1148; Lieutenant-General Commanding the Army of U. S. 1900,

In the massacres and plundering which attended the uprising of 1900 it was manifest that the movement was not against the Christians, or any other special class, but against all foreigners and foreign things. Missionaries, railroad constructors, merchants, teachers, and diplomats were alike the victims, and foreign property and foreign-made goods in the hands and shops of Chinese were destroyed.

The evidence is also overwhelming that the empress dowager and the government — as reconstructed after the displacement of the emperor in 1898 — were in sympathy with the Boxers, and that the government finally coalesced with them, and became responsible for the attack upon Tientsin and the siege of the legations. There is reason, however, to believe, that the emperor did not approve of these acts, and there were instances of heroic devotion to duty and the true interests of the country on the part of some members of the Tsung-li Yamen and other public men. The native Christians also, as a rule, proved true to their new faith, and courageously supported their foreign friends in their hour of trial.

The dispatch of a division of the American army, composed of all arms of the service and fully equipped for a campaign, was one of the most extreme acts of executive authority in the history of the United States. It has been seen that when the Secretary of State was requested by the representatives of Great Britain and

pt. vii.; ib. for 1901, pt. iv. p. 433; U. S. For. Rel. 1900, "China"; General Wilson's China, chaps. xxii.–xxiv. Most of the works already cited in this chapter contain narratives of the Boxer operations and the siege of Peking.

France in 1857 to coöperate with them in an expedition to Tientsin, he replied that, although the objects sought to be gained by the United States were the same as those entertained by the allies, the executive branch of the government was not the war-making power, and that military expeditions into Chinese territory could not be undertaken without the authority of Congress.[1] Doubtless that body would have been consulted by the President had it been in session when the crisis came in 1900; but the emergency was great, and if the government of the United States was to participate in the relief of its minister and citizens besieged at Peking, no time was to be lost. Duty, interest, and convenience called for the immediate transfer to China of a portion of the army then in the Philippines. The President acted with commendable promptness, and the American forces were enabled to bear an honorable part in the campaign. The circumstances which called for the action of 1900 were quite different from those attending the expedition of 1857. In the latter case it was a deliberate act of war against the Chinese government. In 1900 the American forces were sent to China to protect American citizens and their interests in extreme peril, at a time when the authority of the Chinese government was suspended and unable to afford them protection. There are many such precedents in American history, though none calling for such a display of military force. The approval which the President received from the people was an evidence that the situation justified his conduct.

[1] Supra, p. 232.

The main object of the military operations of the allies had been attained by the deliverance of the legations; but it was manifest that the work of the powers would not be complete until the causes which had brought about the unparalleled outrage against the comity of nations should be removed, and the necessary precautions taken to prevent a recurrence of similar violations in the future. The first step to that end had been taken by the American Secretary of State, Mr. Hay, soon after the gravity and extent of the offense against international law and comity became known. On July 3, 1900, Mr. Hay, through a circular note, communicated to the allied powers the views and intentions of the United States, so far as the circumstances at that date would permit. It was declared to be the purpose of its government to act concurrently with the other powers in the rescue of the American officials and citizens then in peril, and in the protection of American life and property everywhere in China, and, finally, to take measures to prevent a recurrence of such disasters. In attaining this last result it would be the policy of the United States to seek a solution which might bring about permanent safety and peace to China, preserve its territorial and administrative entity, protect all rights guaranteed by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire.

Although this policy was not in harmony with the recent conduct of some of the European powers in their relations with China, it was so fully consonant with the

principles of international justice that it met with the approval of the intelligent public sentiment of the world. Through the long and tedious negotiations which followed, this policy was consistently adhered to by the American representatives.

For several weeks no communication could be had with the American minister, Mr. Conger, and it was doubtful whether he would escape with his life; the Russian and Japanese forces were pouring into China in large numbers; and the situation with respect to the allies and their attitude towards China was uncertain. In this critical period the President felt the need of a representative in the midst of the scene of operations, possessed of his views and in direct communication with Washington. He therefore appointed as a special commissioner Mr. W. W. Rockhill, formerly secretary of legation in China and lately assistant Secretary of State. On his arrival at Shanghai the allied army was in occupation of Peking, Mr. Conger had resumed his duties, and was in free communication with his government. After conferring with the viceroys of the Yang-tse-Kiang provinces, Mr. Rockhill went to Peking and was made counselor of the legation, while Mr. Conger was in charge of the negotiations.

Before the siege of the legations had been raised, notice was given that Li Hung Chang had been appointed a plenipotentiary to negotiate a peace, and soon after the occupation of the capital by the allies, Prince Ching informed the representatives of the powers that "their majesties the empress dowager and emperor having gone westward on a tour," he had been nominated with Li

Hung Chang "to open negotiations in a harmonious way at an early date to the interest and gratification of all concerned." Li, however, was slow in arriving at Peking, and it was not until October 26 that the plenipotentiaries of the powers and of China met and the formal negotiations were begun.

Meanwhile four important declarations had been made which had done much to bring the powers into cordial relations, removing suspicion and anxiety as to the possible action of any one power. Of these, first in date and importance was the circular note of Secretary Hay of July 3. The next in order was the announcement, August 28, of Russia, that it had "no designs of territorial acquisitions in China," and that, since the Chinese government had left Peking, there was no need for its representative to remain, that its troops would be withdrawn, and that when the Chinese government was reëstablished Russia would appoint a representative to negotiate with it. To this announcement, which was in the shape of a proposal, the United States replied that it did not deem it wise for the troops to be withdrawn until there was a general agreement by the powers.

The third was the proposal made, September 18, by Germany, that, as a preliminary to peace, China should surrender to the allies for punishment the leaders of the anti-foreign movement who should be designated by the foreign ministers. The reply of the United States was that it would be far more effective for the future if the Chinese government would punish the guilty, that it was but just to give China in the first instance this

opportunity to exhibit her justice and intentions, and that the subject could be included in the negotiations if afterwards found necessary. It may be remarked, in this connection, that the United States took no part in the punitive expeditions by the forces of some of the European powers conducted soon after the capture of Peking.

Fourthly, one other important event was announced in the agreement of Great Britain and Germany, of October 16, (1) to preserve "the open door" in trade, and (2) to take no advantage of the existing conditions to acquire territory; but (3) reserving the right to take another course if any other power attempted to violate the first two policies. Secretary Hay, when requested to signify his acceptance of these principles, replied that his government, in the note of July 3, had already announced the adoption of the first two, and that as the third related to a reciprocal arrangement between the two contracting parties, the United States did not regard itself as called upon to express an opinion upon it.

Before the first formal meeting was held, France submitted as a basis of negotiations six propositions, which were substantially agreed upon by the powers, and briefly stated were as follows: Punishment of the principal guilty parties; prohibition of the importation of firearms; indemnity for losses; permanent legation guards; dismantling of the Taku forts; and establishment of foreign military posts between Peking and the sea.

These declarations and papers had made the task of

concurrence in the general principles by the representatives of the powers a comparatively easy one, and within less than one month they reached an agreement on the essential provisions to be embodied in a treaty, but some delay occurred in reconciling minor differences and consulting the home governments. A question arose as to the form in which the demands agreed upon should be submitted to the Chinese plenipotentiaries, whether in separate identic notes, or in a joint note signed by the representatives of all the powers. Although the United States does not ordinarily favor joint action with European powers, Mr. Conger advocated a joint note on the ground that the question was world-wide, that the demands should be strengthened by unanimity, and that it would hasten final settlement by being more effective than identic notes; and that course was pursued, and the note, signed by all the representatives, was delivered to the Chinese plenipotentiaries December 24, and by them forwarded to the court with their recommendation of the acceptance of its terms.

The note contained twelve demands, which may be divided into the four heads: (1) punishment of the guilty; (2) preventive measures for the future; (3) indemnification; and (4) improvement of official and commercial relations. On January 16, in obedience to an imperial edict, the Chinese plenipotentiaries gave notice of their acceptance of the twelve demands, but accompanied it with a series of questions and suggestions looking to some modifications of the details.

Mr. Conger had conducted the negotiations on the part of the United States to a successful conclusion on

all the essential questions involved, and as the discussion of the details bid fair to occupy much time, he was granted by the government a leave of absence from his post to visit the United States. He had well earned a season of rest. He had conducted himself during the trying ordeal of the siege with great fortitude and discretion, and in the negotiations he had labored indefatigably and with a good degree of success to impress upon his colleagues the liberal and reasonable attitude of his government. During his stay in the United States he received such marks of favor as indicated that his services were highly appreciated by his countrymen.

By appointment of the President, Mr. Rockhill succeeded to the conduct of the negotiations on the part of the United States. The two most important points yet remaining for adjustment were the punishments to be inflicted upon the leaders in the anti-foreign movement, and the amount and manner of payment of the indemnities. While the negotiations were in progress the Chinese government, under the urgent representations of the foreign ministers, had condemned a number of high officials, some of whom had been permitted to commit suicide, and others had been banished or degraded. But the ministers were not satisfied with the sufficiency of this action, and they prepared a list of ten other officials whose execution was to be demanded, and about one hundred more to be otherwise punished. The Russian minister objected to the list, and Mr. Rockhill strongly seconded him, declaring that the effusion of blood should cease, after the chief culprits

had been punished, and that no more death penalties should be exacted. Through their influence, and that of the Japanese minister, the death penalties were confined to four others, and lesser punishments applied to about fifty.

The question of indemnity was even more difficult of settlement than that of punishments, for in it a measure of cupidity was added to the natural feelings of vengeance. From the beginning the United States had favored a lump sum, in place of filing itemized individual and governmental claims, as the latter would enormously increase the aggregate amount. It was with difficulty and after much delay that this point was gained; and then the amount of this lump sum was a still more debated question. Sir Robert Hart, who was advising both the Chinese and the allies, stated that China could not pay more than $250,000,000 to $300,000,000. Mr. Rockhill proposed that the lump sum should not exceed China's ability to pay, and that the powers would scale down their claims to that amount; that it should be divided equitably among the powers; and that if they could not agree among themselves to an apportionment, that question should be submitted to the Hague Tribunal. These propositions did not meet with approval, Russia and Japan only agreeing to the reference to The Hague, and Japan alone supporting the scaling down of the claims. This action was the more significant in view of the fact that of the five powers principally involved, the claim of the United States was the lowest, and that of Japan next.

The amount of the indemnity to be paid by China

was finally fixed at 450,000,000 taels, payable in gold at the rate of exchange fixed in the protocol, with interest at four per centum, in annual payments covering thirty-nine years.[1]

The negotiations on the details had dragged along through weary months and the protocol or peace agreement was not signed by the representatives of the powers and the Chinese plenipotentiaries till September 7, 1901. In addition to the subject of the punishments and indemnity above noticed, the following were its most important provisions: A special embassy to be sent to Germany to convey to the emperor the regret of the Chinese government for the death of Baron von Ketteler, the German minister, and a monument with appropriate inscription to be erected by China on the spot of his assassination; similar action respecting the assassination of the chancellor of the Japanese legation; the suspension of official examinations for five

[1] The claims of the various governments were as follows: —

Country.	Taels.
Germany	90,070,515
Austria-Hungary	4,003,920
Belgium	8,484,345
Spain	135,315
United States	*32,939,055
France	70,878,240
Portugal	92,250
Great Britain	50,712,795
Italy	26,617,005
Japan	34,793,100
Netherlands	782,100
Russia	130,371,120
International (Sweden and Norway, $62,820)	212,490
	450,000,000

* The equivalent of $24,168,357.

years in all the cities where foreigners were massacred or cruelly treated; the erection by China of expiatory monuments in all foreign cemeteries which had been desecrated; prohibition of the importation of firearms for two years; a quarter of Peking set aside for the legations, with the right to maintain foreign guards; the Taku forts to be razed; certain points, named, between the capital and the sea to be occupied by foreign troops; the death penalty to be inflicted on all who become members of anti-foreign societies; viceroys and all subordinate officials to be dismissed where anti-foreign riots occur and the authors are not punished; new treaties of commerce to be negotiated, and the river navigation to Tientsin and Shanghai to be improved; the Tsung-li-Yamen abolished and succeeded by a new board, the Wai-wu Pu, which should take precedence over the other ministries; and a court ceremonial agreed upon in conformity with Western usage.[1]

The influence of the United States was plainly noticeable throughout the negotiations, especially in restraining radical measures and in modifying the action respecting the indemnities. While it supported the efforts to punish the really guilty leaders, and was firm in demanding measures which would guarantee the protection of American citizens and interests for the future,

[1] For negotiations, U. S. For. Rel. 1900, pp. 285–382; Rockhill's Report, S. Ex. Doc. 67, 57th Cong. 1st Sess., published also as appendix to For. Rel. 1901; Secretary Hay's note, July 3, 1900, Rockhill's Report, 12; Russia's announcement, Aug. 28, ib. 19; German note, Sept. 18, ib. 23; British-German agreement, Oct. 16, ib. 31; French basis of negotiations, Oct. 4, ib. 26; joint note of powers, Dec. 22, ib. 59; statement of indemnities, ib. 225; final protocol, ib. 312.

it manifested anxiety that nothing should be done to cripple or impede the ability of China in the maintenance of a stable government and its territorial integrity. Hence it was necessary to continue in the concert of the powers and as far as possible control their action to that end.

Its success in bringing about an agreement for a lump sum for indemnities, to be apportioned among the nations, was of vast importance. If each power had acted separately respecting the indemnities, the one possible method other than a loan, which would have imposed foreign management of the revenues, would have been the occupation of sections of territory by the powers, each one utilizing its own sphere as a source of revenue in payment of claims. This condition once inaugurated would have been difficult to change.

In 1899, just before the Boxer outbreak, Secretary Hay, fearing the effects which might result to American commerce from the apparent intention of certain European powers to appropriate Chinese territory at will, or to extend over it their "spheres of influence," addressed the governments of Great Britain, Germany, Russia, France, Italy, and Japan, urging that it was to the interest of the world's commerce that the government of China should be strengthened and its integrity maintained, and submitting for their assent certain principles which should be respected in that territory, whereby that populous empire should remain an open market for the world. These principles were accepted by all the governments named, and the American Secretary received deserved credit among all nations for his

firm and timely action.[1] Doubtless he foresaw during the negotiations that unless the powers could be held to joint action in accepting the lump sum in settlement of their indemnity claims, his policy of the "open door" would have been placed in peril.

Since the protocol was signed, the United States has had another opportunity of showing its consideration for China in her humiliation and financial distress. During the year 1902 the first installment on the indemnities was to be paid. But since the basis of settlement was agreed upon, silver, which is the currency of China, has greatly fallen in value, making it much more onerous to meet the obligation. China appealed to the powers to allow the installment to be paid at the rate of exchange when the settlement was made, and the United States is the only power which has manifested a willingness to grant the appeal.

The conditions imposed upon China in the peace protocol would seem to be adequate to prevent any widespread anti-foreign uprisings in the future. But the hatred of the stranger still prevails throughout the empire, and the extortionate spirit of the powers has placed in the protocol a provision which is likely to prove a continued source of irritation and to feed the flames of discontent. Against the remonstrance of the United States and of those best informed as to the financial ability of China, a burden of indemnity has been placed upon the government which it will be very difficult for it to carry. To meet this obligation additional taxes must be laid upon the people, and the knowledge

[1] H. Ex. Doc. 547, 56th Cong. 1st Sess.

that this imposition is for the benefit of the despised foreigner may lead to disorder and repudiation; and repudiation will raise again the question of Chinese autonomy.

So long as race hatred controls the Chinese people the peace of the world will be in danger, as the destiny of that country is intimately connected with the interests of all the great powers of the earth; and, since the acquisition of the Philippines, not less with the United States than the most interested of other nations. The "yellow peril" has been much discussed by writers and statesmen who have studied the problems of the Far East. Since the Japanese war and the recent easy march of the allied forces to Peking, the tendency has been to decry and scout the danger. But it is scarcely an exaggeration, in presence of its history and attainments, to assert that no nation or race of ancient or modern times has stronger claim than the Chinese to be called a great people. The fact that the United States has been compelled to violate its early traditions and much vaunted principles in the exclusion of the Chinese from competition with its own people is a high testimony to their race capacity and endurance.

Wensiang, the wisest and most farseeing Chinese statesman of modern times, was accustomed to say to foreign diplomats and others who urged speedy reforms: "You are all too anxious to awake us and start us on a new road, and you will do it; but you will all regret it, for, once awaking and started, we shall go fast and far, — farther than you think, much faster than you want." Sir Robert Hart, who has made a

study of Chinese character and capacity for a half century, believes that their hatred of foreigners is a real menace to the world, not in this generation, perhaps, but in the early future as the lifetime of nations is measured. Four hundred millions, sturdy and passionately devoted to their ancient customs, might in time, under the influence of an all-prevailing race hatred, be changed from a peace-loving community into a warlike people, bent upon avenging their wrongs. Sir Robert suggests only two remedies for this impending danger. The first is partition of the empire among the great powers, which he regards as full of difficulties; the second, a miraculous spread of Christianity, "a not impossible, but scarcely to be hoped for, religious triumph . . . which would convert China into the friendliest of friendly powers."[1]

But the review in this volume of the diplomatic relations of the Orient has shown that another local power is to be reckoned with in considering the Asiatic question. Japan's wonderful development in industrial affairs is even more remarkable than its display of military power. Marquis Ito in a late publication, after arraying the statistics as to his country's great increase in its mercantile marine, its manufactures, and its foreign commerce, justly claims that Japan has attained a secure position commercially, and that "she appreciates the achievements of peace as thoroughly as achievements by force of arms." The fact that it has within the last few years advanced to the second place in the trade with China evinces its commercial activity. The

[1] Sir Robert Hart's Essays, 54–55.

estimate of Japanese statesmen of the part their country is to play in world politics may be seen from the utterance of Count Okuma, former prime minister, anticipating the revision of the treaties and the triumph over China, — "We should become one of the chief powers of the world, and no power could engage in any movement [in Asia] without first consulting us." Such language hardly appears exaggerated, in view of the late treaty of alliance between Great Britain and Japan.[1]

The power most greatly feared by China and Japan, and the one whose vast territorial possessions in Asia entitle it to the first consideration in the affairs of that continent, is Russia. Its system of government is the antipodes of that of the United States and its repression of missions is out of harmony with the hopes of a large majority of the American people, but in their political relations the two governments have always maintained a cordial friendship, and if the principle of the "open door" is respected, there does not appear to be any reason why in Asiatic affairs they should not so continue.

The other great power in the Pacific whose policy is of concern to the United States is Great Britain. There has been occasion in these pages to animadvert upon the conduct of its government, but it is due to it to say that, however dictatorial and aggressive has been its course towards the Eastern countries, it has reserved to itself no selfish or exclusive privileges, but

[1] The Commercial Future of Japan, by Marquis Ito, N. Y. Independent, February 20, 1902; Norman's Far East, 392.

has extended to all other nations the right of trade and residence gained for its own subjects. Wherever in the Orient its authority has gone there has been introduced impartial administration of justice and honest taxation, conditions unknown under native government; and the influence of its administration is to elevate the intellectual condition and the morals of the people. With a similarity of institutions, a common origin and language, and a community of trade interest in the East, the two governments are naturally inclined to coöperation. Neither do the Americans forget that when the other European powers were indifferent or unfriendly during the war that transferred the Philippines to the United States, Great Britain alone was outspoken in its sympathy, and looked with complacency upon the enlargement of Anglo-Saxon influence in that quarter of the globe. A political alliance of the two nations in Asiatic affairs is not probable, but they are likely to be found working together to maintain that which is of vital importance to the United States, free markets in those countries.

Mr. Seward's prophecy of the growing importance of the Pacific and of America's expansion to those distant regions has become history much sooner than he or any American statesman foresaw. It has brought with it much governmental embarrassment and great responsibilities. But the hopeful citizen must believe that the system of government and the wisdom of its public men will be equal to the emergency and the responsibilities. It is a matter of pride and of confidence for the future to be assured that the conduct

and policy of the government, from the beginning of its history, in its relations with the Orient have been marked by a spirit of justice, forbearance, and magnanimity. Its early and its later intercourse with China, Japan, and Korea has been that of a friend interested for their welfare, ready to aid them in their efforts to attain an honorable place among the nations, and willing to recognize the embarrassments which attended those efforts.

With the acquisition of the Philippines, whether wisely or unwisely done, the United States has assumed towards those countries the new and additional relation of a neighbor. The enormous development of the resources of the United States and the increased necessity for foreign markets have strengthened the reasons which have controlled its policy in the past, and the proximity of its new possessions, with their millions of inhabitants, has brought it nearer than ever in sympathy to these peoples and their governments. The American Union has become an Asiatic power. It has new duties to discharge and enlarged interests to protect. But its record of a hundred years of honorable intercourse with that region will be a safe guide for the conduct of affairs. Its task will be well done if it shall aid in giving to the world a freer market, and to the inhabitants of the Orient the blessings of Christian civilization.

APPENDIX





APPENDIX

A PROTOCOL BETWEEN CHINA AND THE TREATY POWERS, SEPTEMBER 7, 1901.

THE plenipotentiaries of Germany, His Excellency M. A. Munn von Schwarzenstein; of Austria-Hungary, His Excellency M. M. Czikann von Wahlborn; of Belgium, His Excellency M. Joostens; of Spain, M. B. J. de Cologan; of the United States, His Excellency M. W. W. Rockhill; of France, His Excellency M. Paul Beau; of Great Britain, His Excellency Sir Ernest Satow; of Italy, Marquis Salvago Raggi; of Japan, His Excellency M. Jutaro Komura; of the Netherlands, His Excellency M. F. M. Knobel; of Russia, His Excellency M. M. de Giers; and of China, His Highness Yi-K'uang Prince Ching of the first rank, President of the Ministry of Foreign Affairs, and His Excellency Li Hung-chang, Earl of Su-i of the first rank, Tutor of the Heir Apparent, Grand Secretary of the Wen-hua Throne Hall, Minister of commerce, Superintendent of the northern trade, Governor-General of Chihli, have met for the purpose of declaring that China has complied to the satisfaction of the Powers with the conditions laid down in the note of the 22d of December, 1900, and which were accepted in their entirety by His Majesty the Emperor of China in a decree dated the 27th of December.

ARTICLE I[a].

By an Imperial Edict of the 9th of June last, Tsai Feng, Prince of Ch'ün, was appointed Ambassador of His Majesty the Emperor of China, and directed in that capacity to convey to His Majesty the German Emperor the expression of the regrets of His Majesty the Emperor of China and of the Chinese Government for the assassina-

tion of His Excellency the late Baron von Ketteler, German minister.

Prince Ch'ün left Peking the 12th of July last to carry out the orders which had been given him.

Article I[b].

The Chinese Government has stated that it will erect on the spot of the assassination of His Excellency the late Baron von Ketteler a commemorative monument, worthy of the rank of the deceased, and bearing an inscription in the Latin, German, and Chinese languages, which shall express the regrets of His Majesty the Emperor of China for the murder committed.

Their Excellencies the Chinese Plenipotentiaries have informed His Excellency the German Plenipotentiary, in a letter dated the 22d of July last, that an arch of the whole width of the street would be erected on the said spot, and that work on it was begun the 25th of June last.

Article II[a].

Imperial Edicts of the 13th and 21st of February, 1901, inflicted the following punishments on the principal authors of the outrages and crimes committed against the foreign Governments and their nationals:

Tsai-I Prince Tuan and Tsai Lan Duke Fu-kuo were sentenced to be brought before the autumnal court of assize for execution, and it was agreed that if the Emperor saw fit to grant them their lives, they should be exiled to Turkestan and there imprisoned for life, without the possibility of commutation of these punishments.

Tsai Hsün Prince Chuang, Ying Nien, President of the Court of censors, and Chao Shu-Chiao, President of the Board of punishments, were condemned to commit suicide.

Yü Hsien, Governor of Shanhsi, Chi Hsiu, President of the Board of rites, and Hsü Cheng-yu, formerly senior vice-President of the Board of punishments, were condemned to death.

Posthumous degradation was inflicted on Kang Yi, assistant Grand Secretary, President of the Board of works, Hsü Tung, Grand Secretary, and Li Ping-heng, formerly Governor-General of Szu-ch'uan.

An Imperial Edict of February 13th, 1901, rehabilitated the memories of Hsü Yung-yi, President of the Board of war, Li Shan, President of the Board of works, Hsü Ching-cheng, senior vice-President of the Board of works, Lien Yuan, vice-Chancellor of the Grand Council, and Yuan Chang, vice-President of the Court of sacrifices, who had been put to death for having protested against the outrageous breaches of international law of last year.

Prince Chuang committed suicide the 21st of February, 1901, Ying Nien and Chao Shu-chiao the 24th, Yü Hsien was executed the 22d, Chi Hsiu and Hsü Cheng-yu on the 26th. Tung Fu-hsiang, General in Kan-su, has been deprived of his office by Imperial Edict of the 13th of February, 1901, pending the determination of the final punishment to be inflicted on him.

Imperial Edicts dated the 29th of April and 19th of August, 1901, have inflicted various punishments on the provincial officials convicted of the crimes and outrages of last summer.

Article II[a].

An Imperial Edict promulgated the 19th of August, 1901, ordered the suspension of official examinations for five years in all cities where foreigners were massacred or submitted to cruel treatment.

Article III.

So as to make honorable reparation for the assassination of Mr. Sugiyama, chancellor of the Japanese legation, His Majesty the Emperor of China by an Imperial Edict of the 18th of June, 1901, appointed Na Tung, vice-President of the Board of revenue, to be his Envoy Extraordinary, and specially directed him to convey to His Majesty the Emperor of Japan the expression of the regrets of His Majesty the Emperor of China and of his Government at the assassination of the late Mr. Sugiyama.

Article IV.

The Chinese Government has agreed to erect an expiatory monument in each of the foreign or international cemeteries which were desecrated and in which the tombs were destroyed.

It has been agreed with the Representatives of the Powers that

the legations interested shall settle the details for the erection of these monuments, China bearing all the expenses thereof, estimated at ten thousand taels for the cemeteries at Peking and within its neighborhood, and at five thousand taels for the cemeteries in the provinces. The amounts have been paid and the list of these cemeteries is enclosed herewith.

Article V.

China has agreed to prohibit the importation into its territory of arms and ammunition, as well as of materials exclusively used for the manufacture of arms and ammunition.

An Imperial Edict has been issued on the 25th of August, 1901, forbidding said importation for a term of two years. New Edicts may be issued subsequently extending this by other successive terms of two years in case of necessity recognized by the Powers.

Article VI.

By an Imperial Edict dated the 29th of May, 1901, His Majesty the Emperor of China agreed to pay the Powers an indemnity of four hundred and fifty millions of Haikwan Taels. This sum represents the total amount of the indemnities for States, companies or societies, private individuals, and Chinese referred to in Article VI of the note of December 22d, 1900.

(*a*) These four hundred and fifty millions constitute a gold debt calculated at the rate of the Haikwan tael to the gold currency of each country, as indicated below.

Haikwan tael	= marks	3.055
	= Austro-Hungary crown	3.595
	= gold dollar	0.742
	= francs	3 750
	= pound sterling	3s. 0d.
	= yen	1.407
	= Netherlands florin	1.796
	= gold rouble (17.424 dolias fine)	1.412

This sum in gold shall bear interest at 4 per cent. per annum, and the capital shall be reimbursed by China in thirty-nine years in the manner indicated in the annexed plan of amortization.

Capital and interest shall be payable in gold or at the rates of exchange corresponding to the dates at which the different payments fall due.

The amortization shall commence the 1st of January, 1902, and shall finish at the end of the year 1940. The amortizations are payable annually, the first payment being fixed on the 1st of January, 1903.

Interest shall run from the 1st of July, 1901, but the Chinese Government shall have the right to pay off within a term of three years, beginning January, 1902, the arrears of the first six months, ending the 31st of December, 1901, on condition, however, that it pays compound interest at the rate of 4 per cent. per annum on the sums the payments of which shall have thus been deferred. Interest shall be payable semiannually, the first payment being fixed on the 1st of July, 1902.

(*b*) The service of the debt shall take place in Shanghai, in the following manner:

Each Power shall be represented by a delegate on a commission of bankers authorized to receive the amount of interest and amortization which shall be paid to it by the Chinese authorities designated for that purpose, to divide it among the interested parties, and to give a receipt for the same.

(*c*) The Chinese Government shall deliver to the Doyen of the Diplomatic Corps at Peking a bond for the lump sum, which shall subsequently be converted into fractional bonds bearing the signatures of the delegates of the Chinese Government designated for that purpose. This operation and all those relating to issuing of the bonds shall be performed by the above-mentioned Commission, in accordance with the instructions which the Powers shall send their delegates.

(*d*) The proceeds of the revenues assigned to the payment of the bonds shall be paid monthly to the Commission.

(*e*) The revenues assigned as security for the bonds are the following:

1. The balance of the revenues of the Imperial maritime Customs after payment of the interest and amortization of preceding loans secured on these revenues, plus the proceeds of the raising to five

per cent. effective of the present tariff on maritime imports, including articles until now on the free list, but exempting foreign rice, cereals, and flour, gold and silver bullion and coin.

2. The revenues of the native customs, administered in the open ports by the Imperial maritime Customs.

3. The total revenues of the salt gabelle, exclusive of the fraction previously set aside for other foreign loans.

The raising of the present tariff on imports to five per cent. effective is agreed to on the conditions mentioned below.

It shall be put in force two months after the signing of the present protocol, and no exceptions shall be made except for merchandise shipped not more than ten days after the said signing.

1°. All duties levied on imports "ad valorem" shall be converted as far as possible and as soon as may be into specific duties. This conversion shall be made in the following manner: The average value of merchandise at the time of their landing during the three years 1897, 1898, and 1899, that is to say, the market price less the amount of import duties and incidental expenses, shall be taken as the basis for the valuation of merchandise. Pending the result of the work of conversion, duties shall be levied "ad valorem."

2°. The beds of the rivers Peiho and Whangpu shall be improved with the financial participation of China.

Article VII.

The Chinese Government has agreed that the quarter occupied by the legations shall be considered as one specially reserved for their use and placed under their exclusive control, in which Chinese shall not have the right to reside, and which may be made defensible.

The limits of this quarter have been fixed as follows on the annexed plan:

On the west, the line 1, 2, 3, 4, 5.

On the north, the line 5, 6, 7, 8, 9. 10.

On the east, Ketteler street (10, 11, 12).

Drawn along the exterior base of the Tartar wall and following the line of the bastions, on the south the line 12.1.

In the protocol annexed to the letter of the 16th of January, 1901, China recognized the right of each Power to maintain a permanent guard in the said quarter for the defense of its legation.

Article VIII.

The Chinese Government has consented to raze the forts of Taku and those which might impede free communication between Peking and the sea; steps have been taken for carrying this out.

Article IX.

The Chinese Government has conceded the right to the Powers in the protocol annexed to the letter of the 16th of January, 1901, to occupy certain points, to be determined by an agreement between them, for the maintenance of open communication between the capital and the sea. The points occupied by the Powers are:

Huang-tsun, Lang-fang, Yang-tsun, Tientsin, Chun-liang Ch'eng, Tang-ku, Lu-tai, Tang-shan, Lan-chou, Chang-li, Ch'in-wang tao, Shan-hai kuan.

Article X.

The Chinese Government has agreed to post and to have published during two years in all district cities the following Imperial edicts:

(*a*) Edict of the 1st of February, prohibiting forever, under pain of death, membership in any antiforeign society.

(*b*) Edicts of the 13th and 21st February, 29th April, and 19th August, enumerating the punishments inflicted on the guilty.

(*c*) Edict of the 19th August, 1901, prohibiting examinations in all cities where foreigners were massacred or subjected to cruel treatment.

(*d*) Edict of the 1st of February, 1901, declaring all governors-general, governors, and provincial or local officials responsible for order in their respective districts, and that in case of new anti-foreign troubles or other infractions of the treaties which shall not be immediately repressed, and the authors of which shall not have been punished, these officials shall be immediately dismissed, without possibility of being given new functions or new honors.

The posting of these edicts is being carried on throughout the Empire.

Article XI.

The Chinese Government has agreed to negotiate the amendments deemed necessary by the foreign Governments to the treaties

of commerce and navigation and the other subjects concerning commercial relations, with the object of facilitating them.

At present, and as a result of the stipulation contained in Article VI concerning the indemnity, the Chinese Government agrees to assist in the improvement of the courses of the rivers Peiho and Whangpu, as stated below.

(*a*) The works for the improvement of the navigability of the Peiho, begun in 1898, with the coöperation of the Chinese Government, have been resumed under the direction of an international Commission. As soon as the administration of Tientsin shall have been handed back to the Chinese Government, it will be in a position to be represented on this Commission, and will pay each year a sum of sixty thousand Haikwan taels for maintaining the works.

(*b*) A conservancy Board, charged with the management and control of the works for straightening the Whangpu and the improvement of the course of that river, is hereby created.

This Board shall consist of members representing the interests of the Chinese Government and those of foreigners in the shipping trade of Shanghai. The expenses incurred for the works and the general management of the undertaking are estimated at the annual sum of four hundred and sixty thousand Haikwan taels for the first twenty years. This sum shall be supplied in equal portions by the Chinese Government and the foreign interests concerned. Detailed stipulations concerning the composition, duties, and revenues of the conservancy Board are embodied in annex hereto.

Article XII.

An Imperial Edict of the 24th of July, 1901, reformed the Office of foreign affairs (Tsungli Yamen), on the lines indicated by the Powers, that is to say, transformed it into a Ministry of foreign affairs (Wai-wu Pu), which takes precedence over the six other Ministries of the State. The same edict appointed the principal members of this Ministry.

An agreement has also been reached concerning the modification of Court ceremonial as regards the reception of foreign Representatives and has been the subject of several notes from the Chinese Plenipotentiaries, the substance of which is embodied in a memorandum herewith annexed.

Finally, it is expressly understood that as regards the declarations specified above and the annexed documents originating with the foreign Plenipotentiaries, the French text only is authoritative.

The Chinese Government having thus complied to the satisfaction of the Powers with the conditions laid down in the above-mentioned note of December 22d, 1900, the Powers have agreed to accede to the wish of China to terminate the situation created by the disorders of the summer of 1900. In consequence thereof the foreign Plenipotentiaries are authorized to declare in the names of their Governments that, with the exception of the legation guards mentioned in Article VII, the international troops will completely evacuate the city of Peking on the 17th September, 1901, and, with the exception of the localities mentioned in Article IX, will withdraw from the province of Chihli on the 22d of September.

The present final Protocol has been drawn up in twelve identic copies and signed by all the Plenipotentiaries of the Contracting Countries. One copy shall be given to each of the foreign Plenipotentiaries, and one copy shall be given to the Chinese Plenipotentiaries.

Peking, 7th September, 1901.

A. V. Mumm.
M. Czikann.
Joostens.
B. J. de Cologan.
W. W. Rockhill.
Beau.
Ernest Satow.
Salvago Raggi.
Jutaro Komura.
F. M. Knobel.
M. de Giers.

{ Signatures and seals of Chinese Plenipotentiaries. }

B. THE EMIGRATION TREATY BETWEEN CHINA AND THE UNITED STATES, 1894.

Signed March 17, 1894; Proclaimed December 8, 1894.

Whereas, on the 17th day of November, A. D. 1880, and of Kwanghsü, the sixth year, tenth moon, fifteenth day, a Treaty was concluded between the United States and China for the purpose of regulating, limiting, or suspending the coming of Chinese laborers to, and their residence in, the United States;

And whereas the Government of China, in view of the antagonism and much deprecated and serious disorders to which the presence of Chinese laborers has given rise in certain parts of the United States, desires to prohibit the emigration of such laborers from China to the United States;

And whereas the two Governments desire to coöperate in prohibiting such emigration, and to strengthen in other ways the bonds of friendship between the two countries;

And whereas the two Governments are desirous of adopting reciprocal measures for the better protection of the citizens or subjects of each within the jurisdiction of the other;

Now, therefore, the President of the United States has appointed Walter Q. Gresham, Secretary of State of the United States, as his Plenipotentiary, and His Imperial Majesty, the Emperor of China has appointed Yang Yü, Officer of the second rank, Sub-Director of the Court of Sacrificial Worship, and Envoy Extraordinary and Minister Plenipotentiary to the United States of America, as his Plenipotentiary; and the said Plenipotentiaries having exhibited their respective Full Powers found to be in due and good form, have agreed upon the following articles:

Article I.

The High Contracting Parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this Convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

Article II.

The preceding Article shall not apply to the return to the United States of any registered Chinese laborer who has a lawful wife, child, or parent in the United States, or property therein of the value of one thousand dollars, or debts of like amount due him and pending settlement. Nevertheless every such Chinese laborer shall, before leaving the United States, deposit, as a condition of his return, with the collector of customs of the district from which he departs, a full description in writing of his family, or property, or debts, as aforesaid, and shall be furnished by said collector with such certificate of his right to return under this Treaty as the laws of the United States may now or hereafter prescribe and not inconsistent with the provisions of this Treaty; and should the written description aforesaid be proved to be false, the right of return thereunder, or of continued residence after return, shall in each case be forfeited. And such right of return to the United States shall be exercised within one year from the date of leaving the United States; but such right of return to the United States may be extended for an additional period, not to exceed one year, in cases where by reason of sickness or other cause of disability beyond his control, such Chinese laborer shall be rendered unable sooner to return — which facts shall be fully reported to the Chinese consul at the port of departure, and by him certified, to the satisfaction of the collector of the port at which such Chinese subject shall land in the United States. And no such Chinese laborer shall be permitted to enter the United States by land or sea without producing to the proper officer of the customs the return certificate herein required.

Article III.

The provisions of this Convention shall not affect the right at present enjoyed of Chinese subjects, being officials, teachers, students, merchants or travelers, for curiosity or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce a certificate from their Government or the Government where they last resided viséd by

the diplomatic or consular representative of the United States in the country or port whence they depart.

It is also agreed that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States in the course of their journey to or from other countries, subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused.

Article IV.

In pursuance of Article III of the Immigration Treaty between the United States and China, signed at Peking on the 17th day of November, 1880 (the 15th day of the tenth month of Kwanghsü, sixth year), it is hereby understood and agreed that Chinese laborers or Chinese of any other class, either permanently or temporarily residing in the United States, shall have for the protection of their persons and property all rights that are given by the laws of the United States to citizens of the most favored nation, excepting the right to become naturalized citizens. And the Government of the United States reaffirms its obligation, as stated in said Article III, to exert all its power to secure protection to the persons and property of all Chinese subjects in the United States.

Article V.

The Government of the United States, having by an Act of the Congress, approved May 5, 1892, as amended by an Act approved November 3, 1893, required all Chinese laborers lawfully within the limits of the United States before the passage of the first named Act to be registered as in said Acts provided, with a view of affording them better protection, the Chinese Government will not object to the enforcement of such acts, and reciprocally the Government of the United States recognizes the right of the Government of China to enact and enforce similar laws or regulations for the registration, free of charge, of all laborers, skilled or unskilled (not merchants as defined by said Acts of Congress), citizens of the United States in China, whether residing within or without the treaty ports.

And the Government of the United States agrees that within twelve months from the date of the exchange of the ratifications of

this Convention, and annually, thereafter, it will furnish to the Government of China registers or reports showing the full name, age, occupation and number or place of residence of all other citizens of the United States, including missionaries, residing both within and without the treaty ports of China, not including, however, diplomatic and other officers of the United States residing or traveling in China upon official business, together with their body and household servants.

ARTICLE VI.

This Convention shall remain in force for a period of ten years beginning with the date of the exchange of ratifications, and, if six months before the expiration of the said period of ten years, neither Government shall have formally given notice of its final termination to the other, it shall remain in full force for another like period of ten years.

In faith whereof, we, the respective plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done, in duplicate, at Washington, the 17th day of March, A. D. 1894.

WALTER Q. GRESHAM [SEAL.]
(Chinese Signature) [SEAL.]

C. TREATY BETWEEN THE UNITED STATES AND JAPAN.

Signed November 22, 1894; Proclaimed March 21, 1895.

The President of the United States of America and His Majesty the Emperor of Japan, being equally desirous of maintaining the relations of good understanding which happily exist between them, by extending and increasing the intercourse between their respective States, and being convinced that this object cannot better be accomplished than by revising the Treaties hitherto existing between the two countries, have resolved to complete such a revision, based upon principles of equity and mutual benefit, and, for that purpose, have named as their Plenipotentiaries, that is to say: The President of the United States of America, Walter Q. Gresham, Secretary of State of the United States, and His Majesty the Emperor of Japan, Jushii Shinichiro Kurino, of the Order of the Sacred Treasure, and

of the Fourth Class; who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles: —

Article I.

The citizens or subjects of each of the two High Contracting Parties shall have full liberty to enter, travel, or reside in any part of the territories of the other Contracting Party, and shall enjoy full and perfect protection for their persons and property.

They shall have free access to the Courts of Justice in pursuit and defense of their rights; they shall be at liberty equally with native citizens or subjects to choose and employ lawyers, advocates and representatives to pursue and defend their rights before such Courts, and in all other matters connected with the administration of justice they shall enjoy all the rights and privileges enjoyed by native citizens or subjects.

In whatever relates to rights of residence and travel; to the possession of goods and effects of any kind; to the succession to personal estate, by will or otherwise, and the disposal of property of any sort and in any manner whatsoever which they may lawfully acquire, the citizens or subjects of each Contracting Party shall enjoy in the territories of the other the same privileges, liberties, and rights, and shall be subject to no higher imposts or charges in these respects than native citizens or subjects, or citizens or subjects of the most favored nation. The citizens or subjects of each of the Contracting Parties shall enjoy in the territories of the other entire liberty of conscience, and, subject to the laws, ordinances, and regulations, shall enjoy the right of private or public exercise of their worship, and also the right of burying their respective countrymen, according to their religious customs, in such suitable and convenient places as may be established and maintained for that purpose.

They shall not be compelled, under any pretext whatsoever, to pay any charges or taxes other or higher than those that are, or may be paid by native citizens or subjects, or citizens or subjects of the most favored nation.

The citizens or subjects of either of the Contracting Parties residing in the territories of the other shall be exempted from all

compulsory military service whatsoever, whether in the army, navy, national guard, or militia; from all contributions imposed in lieu of personal service; and from all forced loans or military exactions or contributions.

Article II.

There shall be reciprocal freedom of commerce and navigation between the territories of the two High Contracting Parties.

The citizens or subjects of each of the High Contracting Parties may trade in any part of the territories of the other by wholesale or retail in all kinds of produce, manufactures, and merchandise of lawful commerce, either in person or by agents, singly or in partnership with foreigners or native citizens or subjects; and they may there own or hire and occupy houses, manufactories, warehouses, shops and premises which may be necessary for them, and lease land for residential and commercial purposes, conforming themselves to the laws, police and customs regulations of the country like native citizens or subjects.

They shall have liberty freely to come with their ships and cargoes to all places, ports, and rivers in the territories of the other, which are or may be opened to foreign commerce, and shall enjoy, respectively, the same treatment in matters of commerce and navigation as native citizens or subjects, or citizens or subjects of the most favored nation, without having to pay taxes, imposts or duties, of whatever nature or under whatever denomination levied in the name or for the profit of the Government, public functionaries, private individuals, corporations, or establishments of any kind, other or greater than those paid by native citizens or subjects, or citizens or subjects of the most favored nation.

It is, however, understood that the stipulations contained in this and the preceding Article do not in any way affect the laws, ordinances and regulations with regard to trade, the immigration of laborers, police and public security which are in force or which may hereafter be enacted in either of the two countries.

Article III.

The dwellings, manufactories, warehouses, and shops of the citizens or subjects of each of the High Contracting Parties in the

territories of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and with the forms prescribed by the laws, ordinances and regulations for citizens or subjects of the country.

Article IV.

No other or higher duties shall be imposed on the importation into the territories of the United States of any article, the produce or manufacture of the territories of His Majesty the Emperor of Japan, from whatever place arriving; and no other or higher duties shall be imposed on the importation into the territories of His Majesty the Emperor of Japan of any article, the produce or manufacture of the territories of the United States, from whatever place arriving, than on the like article produced or manufactured in any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the territories of either of the High Contracting Parties, into the territories of the other, from whatever place arriving, which shall not equally extend to the importation of the like article, being the produce or manufacture of any other country. This last provision is not applicable to the sanitary and other prohibitions occasioned by the necessity of protecting the safety of persons, or of cattle, or of plants useful to agriculture.

Article V.

No other or higher duties or charges shall be imposed in the territories of either of the High Contracting Parties on the exportation of any article to the territories of the other than such as are, or may be, payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the territories of either of the two High Contracting Parties to the territories of the other which shall not equally extend to the exportation of the like article to any other country.

Article VI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other exemption from all transit duties, and a perfect equality of treatment with native citizens or subjects in all that relates to warehousing, bounties, facilities, and drawbacks.

Article VII.

All articles which are or may be legally imported into the ports of the territories of His Majesty the Emperor of Japan in Japanese vessels may likewise be imported into those ports in vessels of the United States, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in Japanese vessels; and, reciprocally, all articles which are or may be legally imported into the ports of the territories of the United States in vessels of the United States may likewise be imported into those ports in Japanese vessels, without being liable to any other or higher duties or charges of whatever denomination than if such articles were imported in vessels of the United States. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other place.

In the same manner, there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed, in the territories of either of the High Contracting Parties on the exportation of any article which is or may be legally exported therefrom, whether such exportation shall take place in Japanese vessels or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the High Contracting Parties or of any third Power.

Article VIII.

No duties of tonnage, harbor, pilotage, lighthouse, quarantine, or other similar or corresponding duties of whatever nature, or under whatever denomination levied in the name or for the profit of Government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the

territories of either country upon the vessels of the other country which shall not equally and under the same conditions be imposed in the like cases on national vessels in general or vessels of the most favored nation. Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive, and whatever may be their place of destination.

Article IX.

In all that regards the stationing, loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbors or rivers of the territories of the two countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the High Contracting Parties being that in this respect also the respective vessels shall be treated on the footing of perfect equality.

Article X.

The coasting trade of both the High Contracting Parties is excepted from the provisions of the present Treaty, and shall be regulated according to the laws, ordinances and regulations of the United States and Japan, respectively. It is, however, understood that citizens of the United States in the territories of His Majesty the Emperor of Japan and Japanese subjects in the territories of the United States, shall enjoy in this respect the rights which are, or may be, granted under such laws, ordinances and regulations to the citizens or subjects of any other country.

A vessel of the United States laden in a foreign country with cargo destined for two or more ports in the territories of His Majesty the Emperor of Japan, and a Japanese vessel laden in a foreign country with cargo destined for two or more ports in the territories of the United States, may discharge a portion of her cargo at one port, and continue her voyage to the other port or ports of destination where foreign trade is permitted, for the purpose of landing the remainder of her original cargo there, subject always to the laws and customs regulations of the two countries.

The Japanese Government, however, agrees to allow vessels of the United States to continue, as heretofore, for the period of the

duration of the present Treaty, to carry cargo between the existing open ports of the Empire, excepting to or from the ports of Osaka, Niigata, and Ebisuminato.

Article XI.

Any ship-of-war or merchant vessel of either of the High Contracting Parties which may be compelled by stress of weather, or by reason of any other distress, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary supplies, and to put to sea again, without paying any dues other than such as would be payable by national vessels. In case, however, the master of a merchant vessel should be under the necessity of disposing of a part of his cargo in order to defray the expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship-of-war or merchant vessel of one of the High Contracting Parties should run aground or be wrecked upon the coasts of the other, the local authorities shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the district, of the occurrence, or if there be no such consular officers, they shall inform the Consul General, Consul, Vice-Consul, or Consular Agent of the nearest district.

All proceedings relative to the salvage of Japanese vessels, wrecked or cast on shore in the territorial waters of the United States, shall take place in accordance with the laws of the United States, and, reciprocally, all measures of salvage relative to vessels of the United States, wrecked or cast on shore in the territorial waters of His Majesty the Emperor of Japan, shall take place in accordance with the laws, ordinances, and regulations of Japan.

Such stranded or wrecked ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandise saved therefrom, including those which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents, when claimed by them. If such owners or agents are not on the spot, the same shall be delivered to the respective Consuls General, Consuls, Vice-

Consuls, or Consular Agents upon being claimed by them within the period fixed by the laws, ordinances and regulations of the country, and such Consular officers, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the case of the wreck of a national vessel.

The goods and merchandise saved from the wreck shall be exempt from all the duties of the Customs unless cleared for consumption, in which case they shall pay the ordinary duties.

When a vessel belonging to the citizens or subjects of one of the High Contracting Parties is stranded or wrecked in the territories of the other, the respective Consuls General, Consuls, Vice-Consuls, and Consular Agents shall be authorized, in case the owner or master, or other agent of the owner, is not present, to lend their official assistance in order to afford the necessary assistance to the citizens or subjects of the respective States. The same rule shall apply in case the owner, master, or other agent is present, but requires such assistance to be given.

Article XII.

All vessels which, according to United States law, are to be deemed vessels of the United States, and all vessels which, according to Japanese law, are to be deemed Japanese vessels, shall, for the purposes of this Treaty, be deemed vessels of the United States and Japanese vessels, respectively.

Article XIII.

The Consuls General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties, residing in the territories of the other, shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

It is understood that this stipulation shall not apply to the citizens or subjects of the country where the desertion takes place.

Article XIV.

The High Contracting Parties agree that, in all that concerns

commerce and navigation, any privilege, favor or immunity which either High Contracting Party has actually granted, or may hereafter grant, to the Government, ships, citizens, or subjects of any other State, shall be extended to the Government, ships, citizens, or subjects of the other High Contracting Party, gratuitously, if the concession in favor of that other State shall have been gratuitous, and on the same or equivalent conditions if the concession shall have been conditional: it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other, upon the footing of the most favored nation.

Article XV.

Each of the High Contracting Parties may appoint Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents, in all the ports, cities, and places of the other, except in those where it may not be convenient to recognize such officers.

This exception, however, shall not be made in regard to one of the High Contracting Parties without being made likewise in regard to every other Power.

The Consuls General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents, may exercise all functions, and shall enjoy all privileges, exemptions, and immunities which are, or may hereafter be, granted to Consular officers of the most favored nation.

Article XVI.

The citizens or subjects of each of the High Contracting Parties shall enjoy in the territories of the other the same protection as native citizens or subjects in regard to patents, trade-marks and designs, upon fulfillment of the formalities prescribed by law.

Article XVII.

The High Contracting Parties agree to the following arrangement: —

The several Foreign Settlements in Japan shall, from the date this Treaty comes into force, be incorporated with the respective Japanese Communes, and shall thenceforth form part of the general municipal system of Japan. The competent Japanese Authorities

shall thereupon assume all municipal obligations and duties in respect thereof, and the common funds and property, if any, belonging to such Settlements shall at the same time be transferred to the said Japanese Authorities.

When such incorporation takes place existing leases in perpetuity upon which property is now held in the said Settlements shall be confirmed, and no conditions whatsoever other than those contained in such existing leases shall be imposed in respect of such property. It is, however, understood that the Consular Authorities mentioned in the same are in all cases to be replaced by the Japanese Authorities. All lands which may previously have been granted by the Japanese Government free of rent for the public purposes of the said Settlements shall, subject to the right of eminent domain, be permanently reserved free of all taxes and charges for the public purposes for which they were originally set apart.

Article XVIII.

This Treaty shall, from the date it comes into force, be substituted in place of the Treaty of Peace and Amity concluded on the 3d day of the 3d month of the 7th year of Kayei, corresponding to the 31st day of March, 1854; the Treaty of Amity and Commerce concluded on the 19th day of the 6th month of the 5th year of Ansei, corresponding to the 29th day of July, 1858; the Tariff Convention concluded on the 13th day of the 5th month of the 2d year of Keio, corresponding to the 25th day of June, 1866; the Convention concluded on the 25th day of the 7th month of the 11th year of Meiji, corresponding to the 25th day of July, 1878, and all Arrangements and Agreements subsidiary thereto concluded or existing between the High Contracting Parties; and from the same date such Treaties, Conventions, Arrangements and Agreements shall cease to be binding, and, in consequence, the jurisdiction then exercised by Courts of the United States in Japan and all the exceptional privileges, exemptions and immunities then enjoyed by citizens of the United States as a part of, or appurtenant to such jurisdiction, shall absolutely and without notice cease and determine, and thereafter all such jurisdiction shall be assumed and exercised by Japanese Courts.

Article XIX.

This Treaty shall go into operation on the 17th day of July, 1899, and shall remain in force for the period of twelve years from that date.

Either High Contracting Party shall have the right, at any time thereafter, to give notice to the other of its intention to terminate the same, and at the expiration of twelve months after such notice is given this Treaty shall wholly cease and determine.

Article XX.

This Treaty shall be ratified, and the ratifications thereof shall be exchanged, either at Washington or Tokio, as soon as possible and not later than six months after its signature.

In witness whereof the respective Plenipotentiaries have signed the present Treaty in duplicate and have thereunto affixed their seals.

Done at the City of Washington the 22d day of November, in the eighteen hundred and ninety-fourth year of the Christian era, corresponding to the 22d day of the 11th month of the 27th year of Meiji.

Walter Q. Gresham [seal.]
Shinichiro Kurino [seal.]

D. JOINT RESOLUTION FOR ANNEXING THE HAWAIIAN ISLANDS TO THE UNITED STATES, 1898.

Whereas the Government of the Republic of Hawaii having, in due form, signified its consent, in the manner provided by its constitution, to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over the Hawaiian Islands and their dependencies, and also to cede and transfer to the United States the absolute fee and ownership of all public, Government, or Crown lands, public buildings or edifices, ports, harbors, military equipment, and all other public property of every kind and description belonging to the Government of the

Hawaiian Islands, together with every right and appurtenance thereunto appertaining: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That said cession is accepted, ratified, and confirmed, and that the said Hawaiian Islands and their dependencies be, and they are hereby, annexed as a part of the territory of the United States and are subject to the sovereign dominion thereof, and that all and singular the property and rights hereinbefore mentioned are vested in the United States of America.

The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: *Provided,* That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

Until Congress shall provide for the government of such islands all the civil, judicial, and military powers exercised by the officers of the existing government in said islands shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

The existing treaties of the Hawaiian Islands with foreign nations shall forthwith cease and determine, being replaced by such treaties as may exist, or as may be hereafter concluded, between the United States and such foreign nations. The municipal legislation of the Hawaiian Islands, not enacted for the fulfillment of the treaties so extinguished, and not inconsistent with this joint resolution nor contrary to the Constitution of the United States nor to any existing treaty of the United States, shall remain in force until the Congress of the United States shall otherwise determine.

Until legislation shall be enacted extending the United States customs laws and regulations to the Hawaiian Islands the existing

customs relations of the Hawaiian Islands with the United States and other countries shall remain unchanged.

The public debt of the Republic of Hawaii, lawfully existing at the date of the passage of this joint resolution, including the amounts due to depositors in the Hawaiian Postal Savings Bank, is hereby assumed by the Government of the United States; but the liability of the United States in this regard shall in no case exceed four million dollars. So long, however, as the existing Government and the present commercial relations of the Hawaiian Islands are continued hereinbefore as provided said Government shall continue to pay the interest on said debt.

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may hereafter be allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

The President shall appoint five commissioners, at least two of whom shall be residents of the Hawaiian Islands, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the Hawaiian Islands as they shall deem necessary or proper.

Sec. 2. That the commissioners hereinbefore provided for shall be appointed by the President, by and with the advice and consent of the Senate.

Sec. 3. That the sum of one hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Approved July 7, 1898.

E. THE SAMOAN TREATY BETWEEN THE UNITED STATES, GERMANY, AND GREAT BRITAIN, 1899.

Signed December 2, 1899; Proclaimed February 16, 1900.

The President of the United States of America, His Imperial Majesty the German Emperor, King of Prussia, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, desiring to adjust amicably the questions which have arisen between them in respect to the Samoan group of Islands, as well as to avoid all future misunderstanding in respect to their joint or several rights and claims of possession or jurisdiction therein, have agreed to establish and regulate the same by a special convention; and whereas the Governments of Germany and Great Britain have, with the concurrence of that of the United States, made an agreement regarding their respective rights and interests in the aforesaid group, the three Powers before named in furtherance of the ends above mentioned have appointed respectively their Plenipotentiaries as follows:

The President of the United States of America, the Honorable John Hay, Secretary of State of the United States;

His Majesty the German Emperor, King of Prussia, His Ambassador Extraordinary and Plenipotentiary, Herr von Holleben; and

Her Majesty the Queen of Great Britain and Ireland, Empress of India, the Right Honorable Lord Pauncefote of Preston, G. C. B., G. C. M. G., Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary:

who, after having communicated each to the other their respective full powers which were found to be in proper form, have agreed upon and concluded the following articles:

Article I.

The General Act concluded and signed by the aforesaid Powers at Berlin on the 14th day of June, A. D. 1889, and all previous treaties, conventions and agreements relating to Samoa, are annulled.

Article II.

Germany renounces in favor of the United States of America all her rights and claims over and in respect to the Island of Tutuila, and all other islands of the Samoan group east of Longitude 171° west of Greenwich.

Great Britain in like manner renounces in favor of the United States of America all her rights and claims over and in respect to the Island of Tutuila and all other islands of the Samoan group east of Longitude 171° west of Greenwich.

Reciprocally, the United States of America renounce in favor of Germany all their rights and claims over and in respect to the Islands of Upolu and Savaii and all other Islands of the Samoan group west of Longitude 171° west of Greenwich.

Article III.

It is understood and agreed that each of the three signatory Powers shall continue to enjoy, in respect to their commerce and commercial vessels, in all the islands of the Samoan group privileges and conditions equal to those enjoyed by the Sovereign Power, in all ports which may be open to the commerce of either of them.

Article IV.

The present Convention shall be ratified as soon as possible, and shall come into force immediately after the exchange of ratifications.

In faith whereof, we, the respective Plenipotentiaries, have signed this Convention and have hereunto affixed our seals.

Done in triplicate, at Washington, the second day of December, in the year of Our Lord one thousand eight hundred and ninety-nine.

John Hay [seal.]
Holleben [seal.]
Pauncefote [seal.]

F. PROTOCOL BETWEEN THE UNITED STATES AND SPAIN, August 12, 1898.

William R. Day, Secretary of State of the United States, and His Excellency Jules Cambon, Ambassador Extraordinary and Plenipotentiary of the Republic of France at Washington, respectively possessing for this purpose full authority from the Government of the United States and the Government of Spain, have concluded and signed the following articles, embodying the terms on which the two Governments have agreed in respect to the matters hereinafter set forth, having in view the establishment of peace between the two countries, that is to say:

Article I.

Spain will relinquish all claim of sovereignty over and title to Cuba.

Article II.

Spain will cede to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and also an island in the Ladrones to be selected by the United States.

Article III.

The United States will occupy and hold the city, bay and harbor of Manila, pending the conclusion of a treaty of peace which shall determine the control, disposition and government of the Philippines.

Article IV.

Spain will immediately evacuate Cuba, Porto Rico and other islands now under Spanish sovereignty in the West Indies; and to this end each Government will, within ten days after the signing of this protocol, appoint Commissioners, and the Commissioners so appointed shall, within thirty days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands; and each Government will, within ten days after the signing of this protocol, also appoint other Commissioners, who

shall, within thirty days after the signing of this protocol, meet at San Juan in Porto Rico, for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

Article V.

The United States and Spain will each appoint not more than five commissioners to treat of peace, and the commissioners so appointed shall meet at Paris not later than October 1, 1898, and proceed to the negotiation and conclusion of a treaty of peace, which treaty shall be subject to ratification according to the respective constitutional forms of the two countries.

Article VI.

Upon the conclusion and signing of this protocol, hostilities between the two countries shall be suspended, and notice to that effect shall be given as soon as possible by each Government to the commanders of its military and naval forces.

Done at Washington in duplicate, in English and in French, by the Undersigned, who have hereunto set their hands and seals, the 12th day of August, 1898.

[seal.] William R. Day.
[seal.] Jules Cambon.

Treaty of Peace between the United States and Spain, 1898.

Signed December 10, 1898; Proclaimed April 11, 1899.

The United States of America and Her Majesty the Queen Regent of Spain, in the Name of Her August Son Don Alfonso XIII, desiring to end the state of war now existing between the two countries, have for that purpose appointed as Plenipotentiaries:

The President of the United States,

William R. Day, Cushman K. Davis, William P. Frye, George Gray, and Whitelaw Reid, citizens of the United States;

and Her Majesty the Queen Regent of Spain,

Don Eugenio Montero Rios, President of the Senate,

Don Buenaventura de Abarzuza, Senator of the Kingdom and ex-Minister of the Crown,

Don José de Garnica, Deputy to the Cortes and Associate Justice of the Supreme Court;

Don Wenceslao Ramirez de Villa-Urrutia, Envoy Extraordinary and Minister Plenipotentiary at Brussels, and

Don Rafael Cerero, General of Division;

Who, having assembled in Paris, and having exchanged their full powers, which were found to be in due and proper form, have, after discussion of the matters before them, agreed upon the following articles:

Article I.

Spain relinquishes all claim to sovereignty over and title to Cuba.

And as the island is, upon its evacuation by Spain, to be occupied by the United States, the United States will, so long as such occupation shall last, assume and discharge the obligations that may under international law result from the fact of its occupation, for the protection of life and property.

Article II.

Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and the island of Guam in the Marianas or Ladrones.

Article III.

Spain cedes to the United States the archipelago known as the Philippine Islands and comprehending the islands lying within the following line:

A line running from west to east along or near the twentieth parallel of north latitude, and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118th) to the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes (4° 45′) north latitude, thence along the parallel of four degrees and forty-five minutes (4° 45′) north latitude to its intersection with the

meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35′) east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119° 35′) east of Greenwich to the parallel of latitude seven degrees and forty minutes (7° 40′) north, thence along the parallel of latitude seven degrees and forty minutes (7° 40′) north to its intersection with the one hundred and sixteenth (116th) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10th) degree parallel of north latitude with the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich to the point of beginning.

The United States will pay to Spain the sum of twenty million dollars ($20,000,000) within three months after the exchange of the ratifications of the present treaty.

Article IV.

The United States will, for the term of ten years from the date of the exchange of the ratifications of the present treaty, admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States.

Article V.

The United States will, upon the signature of the present treaty, send back to Spain, at its own cost, the Spanish soldiers taken as prisoners of war on the capture of Manila by the American forces. The arms of the soldiers in question shall be restored to them.

Spain will, upon the exchange of the ratifications of the present treaty, proceed to evacuate the Philippines, as well as the island of Guam, on terms similar to those agreed upon by the Commissioners appointed to arrange for the evacuation of Porto Rico and other islands in the West Indies, under the Protocol of August 12, 1898, which is to continue in force till its provisions are completely executed.

The time within which the evacuation of the Philippine Islands and Guam shall be completed shall be fixed by the two Govern-

ments. Stands of colors, uncaptured war vessels, small arms, guns of all calibres, with their carriages and accessories, powder, ammunition, livestock, and materials and supplies of all kinds, belonging to the land and naval forces of Spain in the Philippines and Guam, remain the property of Spain. Pieces of heavy ordnance, exclusive of field artillery, in the fortifications and coast defenses, shall remain in their emplacements for the term of six months, to be reckoned from the exchange of ratifications of the treaty; and the United States may, in the mean time, purchase such material from Spain, if a satisfactory agreement between the two Governments on the subject shall be reached.

Article VI.

Spain will, upon the signature of the present treaty, release all prisoners of war, and all persons detained or imprisoned for political offenses, in connection with the insurrections in Cuba and the Philippines and the war with the United States.

Reciprocally, the United States will release all persons made prisoners of war by the American forces, and will undertake to obtain the release of all Spanish prisoners in the hands of the insurgents in Cuba and the Philippines.

The Government of the United States will at its own cost return to Spain and the Government of Spain will at its own cost return to the United States, Cuba, Porto Rico, and the Philippines, according to the situation of their respective homes, prisoners released or caused to be released by them, respectively, under this article.

Article VII.

The United States and Spain mutually relinquish all claims for indemnity, national and individual of every kind, of either Government, or of its citizens or subjects, against the other Government, that may have arisen since the beginning of the late insurrection in Cuba and prior to the exchange of ratifications of the present treaty, including all claims for indemnity for the cost of the war.

The United States will adjudicate and settle the claims of its citizens against Spain relinquished in this article.

Article VIII.

In conformity with the provisions of Articles I, II, and III of this treaty, Spain relinquishes in Cuba, and cedes in Porto Rico and other islands in the West Indies, in the island of Guam, and in the Philippine Archipelago, all the buildings, wharves, barracks, forts, structures, public highways and other immovable property which, in conformity with law, belong to the public domain, and as such belong to the Crown of Spain.

And it is hereby declared that the relinquishment or cession, as the case may be, to which the preceding paragraph refers, cannot in any respect impair the property or rights which by law belong to the peaceful possession of property of all kinds, of provinces, municipalities, public or private establishments, ecclesiastical or civic bodies, or any other associations having legal capacity to acquire and possess property in the aforesaid territories renounced or ceded, or of private individuals, of whatsoever nationality such individuals may be.

The aforesaid relinquishment or cession, as the case may be, includes all documents exclusively referring to the sovereignty relinquished or ceded that may exist in the archives of the Peninsula. Where any document in such archives only in part relates to said sovereignty, a copy of such part will be furnished whenever it shall be requested. Like rules shall be reciprocally observed in favor of Spain in respect of documents in the archives of the islands above referred to.

In the aforesaid relinquishment or cession, as the case may be, are also included such rights as the Crown of Spain and its authorities possess in respect of the official archives and records, executive as well as judicial, in the islands above referred to, which relate to said islands or the rights and property of their inhabitants. Such archives and records shall be carefully preserved, and private persons shall without distinction have the right to require, in accordance with law, authenticated copies of the contracts, wills, and other instruments forming part of notarial protocols or files, or which may be contained in the executive or judicial archives, be the latter in Spain or in the islands aforesaid.

Article IX.

Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners. In case they remain in the territory they may preserve their allegiance to the Crown of Spain by making, before a court of record, within a year from the date of the exchange of ratifications of this treaty, a declaration of their decision to preserve such allegiance; in default of which declaration they shall be held to have renounced it and to have adopted the nationality of the territory in which they may reside.

The civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by the Congress.

Article X.

The inhabitants of the territories over which Spain relinquishes or cedes her sovereignty shall be secured in the free exercise of their religion.

Article XI.

The Spaniards residing in the territories over which Spain by this treaty cedes or relinquishes her sovereignty shall be subject in matters civil as well as criminal to the jurisdiction of the courts of the country wherein they reside, pursuant to the ordinary laws governing the same; and they shall have the right to appear before such courts, and to pursue the same course as citizens of the country to which the courts belong.

Article XII.

Judicial proceedings pending at the time of the exchange of ratifications of this treaty in the territories over which Spain relinquishes or cedes her sovereignty shall be determined according to the following rules:

1. Judgments rendered either in civil suits between private individuals, or in criminal matters, before the date mentioned, and with respect to which there is no recourse or right of review under the Spanish law, shall be deemed to be final, and shall be executed in due form by competent authority in the territory within which such judgments should be carried out.

2. Civil suits between private individuals which may on the date mentioned be undetermined shall be prosecuted to judgment before the court in which they may then be pending or in the court that may be substituted therefor.

3. Criminal actions pending on the date mentioned before the Supreme Court of Spain against citizens of the territory which by this treaty ceases to be Spanish shall continue under its jurisdiction until final judgment; but, such judgment having been rendered, the execution thereof shall be committed to the competent authority of the place in which the case arose.

Article XIII.

The rights of property secured by copyrights and patents acquired by Spaniards in the island of Cuba, and in Porto Rico, the Philippines and other ceded territories, at the time of the exchange of the ratifications of this treaty, shall continue to be respected. Spanish scientific, literary and artistic works, not subversive of public order in the territories in question, shall continue to be admitted free of duty into such territories, for the period of ten years, to be reckoned from the date of the exchange of the ratifications of this treaty.

Article XIV.

Spain shall have the power to establish consular officers in the ports and places of the territories, the sovereignty over which has been either relinquished or ceded by the present treaty.

Article XV.

The Government of each country will, for the term of ten years, accord to the merchant vessels of the other country the same treatment in respect of all port charges, including entrance and clearance dues, light dues, and tonnage duties, as it accords to its own merchant vessels, not engaged in the coastwise trade.

This article may at any time be terminated on six months' notice given by either Government to the other.

Article XVI.

It is understood that any obligations assumed in this treaty by the United States with respect to Cuba are limited to the time of its occupancy thereof; but it will upon the termination of such occupancy, advise any Government established in the island to assume the same obligations.

Article XVII.

The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Majesty the Queen Regent of Spain; and the ratifications shall be exchanged at Washington within six months from the date hereof, or earlier if possible.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty and have hereunto affixed our seals.

Done in duplicate at Paris, the tenth day of December, in the year of Our Lord one thousand eight hundred and ninety-eight.

[SEAL.] William R. Day. [SEAL.] Eugenio Montero Rios.
[SEAL.] Cushman K. Davis. [SEAL.] B. de Abarzuza.
[SEAL.] Wm. P. Frye. [SEAL.] J. de Garnica.
[SEAL.] Geo. Gray. [SEAL.] W. R. de Villa Urrutia.
[SEAL.] Whitelaw Reid. [SEAL.] Rafael Cerero.

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